Democratic Transitions in Divided States: The Case of Iraq

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Abstract
Many theorists have posited that democratic transitions in states divided along ethnic, racial, or religious lines are accompanied by violent conflict and thus unlikely to succeed. The end of authoritarian rule in Iraq and the introduction of democracy by the United States has been followed by many such challenges, and it has been argued that the artificial Iraqi state and its Kurdish, Sunni, and Shia communities does not possess the unity as required by democratic government. However, an informed analysis of Iraqi democracy requires attention to the role of its authoritarian leaders and war and economic hardships in making Iraq's ethnosectarian communities largely competitive and conflictual. Furthermore, it is possible that continued participation in democratic institutions and processes, though imperfect, may build support for the system and legitimize it as the means to make political decisions. As a consequence, Iraqis may increasingly identify with the state and its democratic system rather than their more rigid, and at times conflictting, ethnosectarian identities.

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DEMOCRATIC TRANSITIONS IN DIVIDED STATES: THE CASE OF IRAQ

A Thesis
Presented to
the Faculty of the Josef Korbel School of International Studies
University of Denver

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts

by
Kara L. Kingma
June 2012
Advisor: Nader Hashemi
Abstract

Many theorists have posited that democratic transitions in states divided along ethnic, racial, or religious lines are accompanied by violent conflict and thus unlikely to succeed. The end of authoritarian rule in Iraq and the introduction of democracy by the United States has been followed by many such challenges, and it has been argued that the artificial Iraqi state and its Kurdish, Sunni, and Shia communities does not possess the unity as required by democratic government. However, an informed analysis of Iraqi democracy requires attention to the role of its authoritarian leaders and war and economic hardships in making Iraq's ethnosectarian communities largely competitive and conflictual. Furthermore, it is possible that continued participation in democratic institutions and processes, though imperfect, may build support for the system and legitimize it as the means to make political decisions. As a consequence, Iraqis may increasingly identify with the state and its democratic system rather than their more rigid, and at times conflicting, ethnosectarian identities.
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CHAPTER ONE: INTRODUCTION TO THE ANALYSIS

The issue of identity and its effect on statehood and governance is important, especially in those countries whose populations are divided along ethnic, religious, or tribal lines. This matter is particularly relevant in the Middle East, given that many of its states were formed relatively arbitrarily by European leaders after World War I, with little regard to how communities were divided or combined within new territorial boundaries. The fledgling democracy in Iraq is currently facing challenges related to this issue as its leaders attempt to fashion a more equitable and functioning government out of distinct and sometimes conflicting groups. It is the hope of these leaders and of American policymakers that democracy will offer representation to all Iraqis while also promoting loyalty to the state rather than to more divisive subidentities.

I will argue that although American policymakers overestimated Iraqi national unity in their initial attempts to introduce democracy, the democratization process may itself offer the means by which a unified state is formed. In doing so, I look at the nature of coalition building and cooperation among Iraqi political groupings and the pressing economic and security issues that have forced such compromise. Furthermore, I will contend that the successful “doing” of democracy may lead the Iraqi people to place trust in the democratic system and see it as offering the political means to conflict resolution and economic and social progress. Though Iraqis may be critical of the government in terms of efficiency and responsiveness, it is possible to argue that most have come to
understand that their political and economic futures, both as individuals and communities, are tied to participation in the democratic process.

In “Beyond Identity,” Rogers Brubaker and Frederick Cooper assert:

…identity denotes a fundamental and consequential sameness among members of a group or a category. This may be understood objectively (as a sameness ‘in itself’) or subjectively (as an experienced, felt, or perceived sameness).¹

Their statement captures the fluid nature of identity, as it can change over time depending upon individuals’ perceptions under various circumstances that call forth their identification with one group or another. Brubaker and Cooper see identity as the basis on which collective action can take place, and a product of that very action.² Individuals who view themselves as part of an ethnic community or as citizens of the larger state will thus act with other members of the particular group while simultaneously strengthening the concept of the very group within which they are acting.

A number of influential political theorists have set forth ideas as to how identity, whether based on the state or otherwise, affects state building and the formation of democratic government. As Robert A. Dahl notes:

…the democratic process presupposes a unity. The criteria of the democratic process presuppose the rightfulness of the unit itself. If the unit itself is not considered proper or rightful – if its scope or domain is not justifiable – then it cannot be made rightful simply by democratic procedures.³

In his famous work, “Transitions to Democracy,” Dankwart A. Rustow asserts that rather than economic or cultural explanations, what matters most for the process of democratization is the single background condition of national unity. In explaining this unity, he writes, “It simply means that the vast majority of citizens in a democracy-to-be

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² Brubaker and Cooper, 7.
must have no doubt or mental reservations as to which political community they belong to.” It seems both authors contend that a successful democratic government requires, at the least, a defined territorial state that is agreed upon by all of its members as fitting and legitimate. This is a salient issue for Iraq, and not only for the Kurds, as many Sunnis and Shia also seem to question whether they owe their allegiance to the larger Iraqi nation or to their smaller respective communities.

Iraq is a particularly interesting case given its history as a tenuous political entity created out of distinct and at times conflicting former provinces of the Ottoman Empire. After its independence from Great Britain in 1932, successive leaders worked to foster a common nationalism among Iraq’s citizens. As early as 1933, however, King Faisal lamented:

…there is still…no Iraqi people but unimaginable masses of human beings, devoid of any patriotic idea, imbued with religious traditions and absurdities, connected by no common tie, giving ear to evil, prone to anarchy, and perpetually ready to rise against any government whatsoever.

This situation seemed to have changed little after six decades of national independence, for in 1982 a member of the Baathist inner cadre echoed King Faisal’s sentiments, writing as reported by Adeed Dawisha that “secessionism, sectarianism and tribalism…are tearing the unity of [Iraqi] society to pieces.”

Perhaps most notable in Iraq’s modern, pre-democratic history was Saddam Hussein’s manipulation of identity for personal and political gain. Saddam’s Baathist Party initially offered hope to Iraqis as it promised “a progressive, nationalist, and anti-

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6 Dawisha, 554.
imperialist future," as well as equality between the various religious communities. However, Saddam used Baathism to create a nationalism that was, above all, loyal to himself. He then went on to emphasize different aspects of Iraqi identity at different points in time depending on which was most politically expedient. For example, he stressed Arab identity during the Iran-Iraq war, Islamic identity during the first Gulf War in response to Western intervention, and tribal identity during the economic and social upheavals following the implementation of sanctions by the United States.\(^7\)

One might argue that the national unity and state identification as suggested by Dahl and Rustow to be necessary for democratic government did not exist at the time of the U.S. invasion. W. Andrew Terrill echoed this claim when he wrote in 2009 of the political situation following Saddam’s fall:

> The preferred option of most Iraqis is not yet fully clear. Moreover, the type of regime change that they support will have a great deal to do with how they define their own identities in a postwar environment. In the aftermath of Saddam’s ouster, Iraqis must determine how to order and emphasize their national and subnational identities…They must further decide if their ethnic and religious identities are complementary or antithetical to their identities as Iraqis.\(^9\)

Eric Davis, author of *Memories of State: Politics, History, and Collective Identity in Modern Iraq*, similarly contends that at the time of the American-led effort to remove Saddam, the nature of the Iraqi political system remained an unresolved question and thus was likely to cause conflict.\(^10\) In this view, it is no surprise that the removal of Saddam

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\(^8\) Dawisha, 556.

\(^9\) Terrill, 1.

and the attempts by the U.S. to create a functioning democratic government have been marked by violence and discord.

It is also not clear the American policymakers responsible for formulating the next steps after the invasion fully understood Iraq’s ethnic and religious divisions. After years of Saddam’s policy of exacerbating tensions among communities to obtain support from alternating segments of Iraqi society and to better control the country’s diverse groups, it might have been expected that Sunnis, Shiites, and Kurds would be distrustful of each other and their roles in the new power structures. Additionally, the failure of the United States to provide sufficient security immediately following the invasion contributed to Iraqi skepticism toward the central government and its American partners. Many Iraqis looked to their ethnic and religious communities for protection and continued to associate most strongly with these groups during the state’s early democratic practices.

Iraqi identity has been characterized by competing and often conflicting ethnic and religious divisions. This is both a result of elite manipulation, especially under Saddam as he viewed such management necessary for retaining authoritarian control, and a symptom of the miscalculations of American policymakers in their attempts to implement democracy in a country whose context of nationality they seemed to little understand. As Davis argues:

…the inability of Iraqis to construct a viable model of political community explains to a large degree the country’s political and social instability. The absence of a commonly accepted model of political community is related to the problem of collective identity and foundational myths.¹¹

¹¹ Davis, 2.
It is possible, however, that Iraq’s democratic government, by providing equal representation and procedural fairness to individuals from all groups, might form an Iraqi nation even though the Iraqi state has long existed. Through institutions and policies that promote inclusion and offer opportunities for cooperation across ethnosectarian lines, democracy can provide Iraqis the means for consolidating the government and the state.

Given the implications of a stable and democratic state for the region as a whole and for American interests there, I seek to better understand a number of topics, including: the seeming link between democratization and conflict in states divided along identity lines; the evolution of Iraqi national identity and the role of its leaders in the process; decisions made by the U.S. in its invasion and occupation that complicated the democratic transition; and most importantly, the prospects for democratic consolidation and with it, the formation of a civic, Iraqi identity. This final issue is significant as Iraq’s domestic situation has the potential to affect the stability of the larger Middle East, particularly in the absence of American troops following their withdrawal in December 2011.

In the second chapter, I explore research done on the relationship between the transition to democracy and conflict in states with various ethnic, religious, or other identity groups. I begin by noting various approaches to the concept of identity in order to grasp what it means and how it relates to citizens in representative democracies. Most significantly, I summarize a range of explanations as to why democratization is often accompanied by violence and how this affects the behavior of political actors, the electoral process, and democratic practices more generally. I pay special attention to the role of political elites, and argue the likelihood of conflict can be partly mitigated through
their attention to the participation and inclusion of all parties. Iraq’s experience with sectarian conflict and domestic instability is perhaps unsurprising when viewed in the context of the broader challenges faced by divided states during democratization.

In chapter three, I give a brief modern history of Iraq with a focus on the fluid nature of Iraqi identity. Iraqis’ ambiguity toward the state as an object of their loyalty is partly a symptom of the state’s relatively short existence and disagreement over its rightful nature; however, I argue it is better explained by the policies of political elites and legacies of war and crises. Iraq’s communities have displayed cooperation at various points in the state’s history, but national leaders generally failed to implement the policies and processes necessary for involving citizens from all ethnic and sectarian groups. Iraq’s experience with war and economic hardship since the 1980s worsened most citizens’ identification with the state, as competition for political and economic goods took place largely on the basis of tribal and religious affiliations.

Chapter four focuses on the mistakes committed by the United States pre- and post- 2003 invasion and how those errors made it more difficult for Iraqis’ to reconcile their religious and ethnic identities with the civic identity required for a newly democratic polity. Such errors include the de-Baathification project and its marginalization of the Sunni population, the disbanding of the Iraqi army, and miscalculations in the implementation of democratic institutions and processes. The resulting inter- and intrasectarian violence complicated an already challenging situation and further weakened the state in its ability to satisfy new demands for political participation. Though multiple elections have been held and a constitution was created, the political and security consequences of these mistakes continue to test Iraqi democracy.
I tackle the outstanding issue of the Kurds in chapter five, as their unique and contentious history poses another problem to the consolidation of democracy in Iraq. Though at times it seemed their place in the central government was improving, in general Kurdish relations with Baghdad were hostile. The invasion of Iraq by the U.S. was met with cooperation by the Kurds, and their willingness to participate in the new democratic system enabled them to play an important role in the early formation of the constitution and government. As demands by the Shia and Sunni have strengthened, however, the Kurds must negotiate between a desire to remain autonomous and the possibility of further involvement and identification with the central state. Successful integration of the Kurds will both strengthen the democratic system and reduce the likelihood of future conflict.

In chapter six, I summarize recent events in Iraq with a concentration on evidence of intersectarian cooperation and support of democracy. I put these events in the context of important work done by various theorists on democratization whose arguments strengthen the view that Iraqi democracy can in fact gain legitimacy and stability. This analysis allows me to contend that democratization can succeed even in an arguably fragmented state such as Iraq. Though Iraq may not meet what many theorists’ argue to be the prerequisites for democratic government, I assert that trust in the democratic government and its mechanisms for reducing conflict, guaranteeing rights, and allocating goods and services may lead to a stable and functioning representative government. I believe it can be shown that the actual “doing” of democracy, of forming governments and of making policy decisions, may help to engender an Iraqi identity distinct from and encompassing other ethnic and religious subdivisions.
Finally, I conclude with a summary of my findings and suggestions for the future of Iraqi democracy. While I readily acknowledge the threats to democracy posed by pressing social and economic concerns and the actions of self-serving elites, I hope to show that a lasting democratic Iraq is feasible. Iraq’s democratic system, though imperfect, will strengthen and be sustained through continued participation in its elections and adherence to the guarantees and constraints provided by its institutions. This argument is consistent with Brubaker and Cooper’s belief in the action oriented nature of identity; that by acting as though part of the Iraqi state and responsible for its continuation and success, Iraqis will come to see themselves as citizens first and foremost.
CHAPTER TWO: CONFLICT DURING DEMOCRATIZATION – A GENERAL SUMMARY

There has been extensive research done on the link between democratic transitions and identity-based conflict. It is largely accepted that states divided along religious, ethnic, racial, or other lines are likely to experience violence during the democratization process. However, this observation presents a paradox: though the democratic transition will probably lead to conflict, effective democratic government offers the best means of ameliorating such conflict by creating civic, less rigid identities and channeling differences through institutions that provide equal representation and procedural fairness. While established democratic systems are arguably better at dealing with disputes among communities and individuals, the lack of functioning institutions and an inconsistent adherence to the rule of law characteristic of transitional democracies often triggers identity conflict and threatens democratic consolidation.

Analysts of democratization have frequently posited that diverse societies face special challenges in the transition from authoritarianism to democracy. As M. Steven Fish and Robin S. Brooks write, “…ethnic differences divide society and make compromise and consensus difficult. Heterogeneity poses the risk of intercommunal violence, which can undermine open politics.”12 In this view, the values of cooperation

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and negotiation so important in democracy are challenged by citizens who perceive loyalty to the clan or ethnic group as prior to loyalty to the shared territorial state.

Democracy involves the freedom of individuals to associate with and lobby on behalf of those with whom they share interests. If these associations correspond almost exclusively to one’s ethnicity, race, or religion, political outcomes that favor other groups will be seen as threats to the very existence of such identities.

Some of the worst incidents of conflict between ethnic and religious groups during the transition to democracy have occurred in Bosnia, Northern Ireland, Lebanon, and Sri Lanka. Conflict seemingly associated with the new democratic government has also occurred among Iraq’s communities, leading many observers to question whether democracy is viable in a state with such ethnic and sectarian divisions. As intersectarian violence remains a challenge to Iraq’s democracy, it is instructive to review major theorists’ arguments regarding the democracy-conflict nexus, including the role of identity, elites, and institutions. A complete analysis of Iraq reveals that though its early record confirms many of these theorists’ predictions, continued experience with the democratic system may provide long-term stability.

Because of the likelihood that conflict will occur during democratization, many theorists have argued that well-functioning democratic states require unified nations. Such states will not face significant threats to their authority and legitimacy by groups that enjoy competing loyalty. As Clarisa Rile Hayward writes:

Democracy needs some form of citizen-identity for purposes of integration…If ‘rule by the people’ is to mean more than simply rule by the majority in the interest of the majority…then every democratic polity needs some civic bond,
some cohesive force that can prompt its citizens to act politically in ways that take into account the claims and the perspectives of others.\textsuperscript{13}

Successful democracy in divided states arguably entails citizens that cooperate and recognize common interests across divisions for the good of the shared polity. Such empathy also reduces perceptions of grievance among minorities or other communities whose members are limited in the representative power.

In other words, democracies need inclusive identities that all or nearly all citizens agree upon. These identities form the foundation of citizens’ equal belonging in the state. The idea of identity, however, is vague from both a conceptual and functional standpoint. The Encyclopedia of Political Science notes that “[g]enerally, the sense of self is validated by membership in a group or affiliation with something intangible such as a culture or religion,”\textsuperscript{14} prompting individuals to identify with such groups. Given individuals’ proclivity to join others on the basis of intangible qualities, “[o]ne of the most prominent issues of the postmaterialist world is identity.”\textsuperscript{15} In the modern nation-state system, individuals sometimes identify with substate groups that challenge either the state’s political authority or territorial legitimacy. Consequently:

Parties that bitterly oppose one another within a given state might each be recognized as embodying a ‘politics of identity’ focused on defending the interests and values of their particular nationality rather than on the state as a whole.\textsuperscript{16}

\textsuperscript{15} Kurian, \textit{The Encyclopedia}, 1084.
\textsuperscript{16} Kurian, \textit{The Encyclopedia}, 1084.
There is also debate concerning the nature of identity and how it is acquired and maintained. Primordialists view identity as unchanging, essential, and deeply rooted regardless of context. Accordingly, conflict between or among identity groups is inevitable and intractable. Constructivists, on the other hand, focus on political and socioeconomic factors that stimulate conflict on the basis of identities that in other circumstances may exist alongside each other peacefully. This perspective “is more dynamic than the former [primordialism] because it stresses change, contextuality, and competition among ethnic [or other identity] groups for resources.”¹⁷ Only when identity becomes implicated in the struggle for political and economic goods is conflict likely and problematic for diverse states and societies.

Identity in the Middle East is of particular interest because the division of colonial empires was largely unsuccessful in ingraining a sense of loyalty to the modern states and their nascent structures. In many cases, the new state boundaries did not correspond to existing ethnic and tribal divisions. Furthermore, state institutions tended to favor groups on the basis of their identities rather than considerations of ability and merit. P.R. Kumaraswamy writes:

More than three-quarters of a century after the disintegration of the Ottoman Empire, from whom most of them emerged, these states have been unable to define, project, and maintain a national identity that is both inclusive and representative.¹⁸

Though the existence of Middle Eastern states is today largely unchallenged, nationalism centered on the country and its governmental institutions is combined with or in some instances threatened by loyalty to religion, ethnicity, tribe, or clan.

These states’ failure to resolve this tension is in many ways related to their inability or perhaps unwillingness to include all citizens in the state’s political and economic development equally, regardless of ethnicity or religion. Kumaraswamy continues:

Without exception, all of the Middle Eastern states have tried to impose an identity from above. Whether ideological, religious, dynastical, or powercentric, these attempts have invariably failed and have often resulted in schism and sectarian tensions.¹⁹

Debate in the Middle East over the nature of the state and its foundations is particularly salient as demands for just and representative government have increased. In some cases, identities were manipulated or played off each other by authoritarian regimes to maintain power, worsening tensions. Even in those states that have succeeded in overthrowing autocratic leaders, there remains disagreement among citizens over the proper understanding of the state and the identity of its people.

Dankwart A. Rustow also draws attention to considerations of identity in the transition to representative government. He posits that rather than certain economic or cultural provisions, democratization requires “a single background condition – national unity.”²⁰ A political system such as democracy, in which power naturally shifts and uncertainties are common, needs individuals that are not frightened by the prospect of

their community or identity group temporarily losing power. Additionally, according to Alfred C. Stepan, “…citizens within a democratic federation should have dual but complementary political identities.”21 While individuals may rightfully remain part of their ethnic or religious communities, they must also agree to participate in the shared civic sphere on an equal basis with those from other groups.

Juan J. Linz and Stepan refer to this issue as a “stateness” problem, one in which “a significant proportion of the population does not accept the boundaries of the territorial state (whether constituted democratically or not) as a legitimate political unit to which they owe obedience.”22 Earlier analyses of democratic transitions had paid little attention to the potential incongruence between territorial boundaries and national identities. In most of those cases, particularly in Southern Europe and Latin America, ethnic and religious nationalist threats to the state were not a factor. The spread of democracy to Eastern Europe, for example, where states contained multiple nationalisms competing for political and economic power, brought this issue to the attention of theorists and policymakers. The spread of democracy was still viewed positively, but analysts wondered if the new considerations posed by these states would inhibit the seeming worldwide trend to representative government.

Citizens who are not convinced of their belonging in the polity will likely adhere to the groups to which they feel more loyal during times of uncertainty, including the democratic transition. As Mark R. Beissinger argues, some may react violently as they compete for power due to “…the larger system of ethnic social relationships that

22 Juan J. Linz and Alfred C. Stepan, “Political Identities and Electoral Sequences: Spain, the Soviet Union, and Yugoslavia,” Daedalus 121.2 (1992), 123.
democratization potentially reconfigures and the ways in which democratization engages the interests and passions of large numbers of people.”

Different groups are brought into contact in the context of competition for political power, including the ability to make decisions on state goods and resources. Because communities see their futures as closely tied to such issues, determining who makes these decisions becomes a major source of contention.

In Seymour Martin Lipset’s famous work, “Some Social Requisites of Democracy: Economic Development and Political Legitimacy,” he posits a number of conditions necessary for democratic government. One of them is legitimacy, or wide support for the political system by the citizens of the state. Challenges to such legitimacy arise during the transition to democracy:

…if (a) all major groups do not secure access to the political system early in the transitional period, or at least as soon as they develop political demands; or, if (b) the status of major conservative institutions is threatened during the period of structural change.

Both of these outcomes are likely during democratization in divided states. Democracy inevitably leads to new power configurations and involves individuals of different races, ethnicities, and religions in the struggle for political power. Perceptions of grievance among one or more such groups will lead them to disapprove of the system and seek its end. Furthermore, the potential loss of power for an identity group that was generally favored under authoritarian rule may become another source of tension.

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The probability of conflict during democratization has been confirmed by numerous studies. Stephen M. Saideman and others engage in such an analysis, writing:

…we assume that groups are more likely to act up when they are uncertain about their position and prospects for the future. Thus we expect more ethnic conflict during periods of institutional upheaval in which new regimes are installed and elections are held for the first time.\(^{25}\)

Their study goes on to empirically verify this prediction. The level and nature of conflict naturally differs among democratizing countries, however. This variance depends on, among other factors, the way in which elites employ identity for their own purposes, the extent to which identity becomes a marker for access to the political system, and “the opportunities for and obstacles to the mobilization of ethnic differences.”\(^{26}\) While conflict is likely, its degree and character differs according to a state’s past experiences with identity relations and the decisions made by elites during this contentious period.

Democracy faces further challenges in countries where war centered largely on ethnic or religious differences has already occurred. Anna K. Jarstad summarizes:

Insecurity and unsolved grievances mean that political elites, as well as civil society, remain polarized and that the basis for inclusive ideologies is weak. In combination with a shattered infrastructure, and an economy structured on the spoils of war, this polarization implies that democratization faces particular challenges in post-war societies.\(^{27}\)

Competition for political power often reignites the same aspirations and grievances that were a subject of fighting during the war. Additionally, violence may reignite and


\(^{26}\) Beissinger, “A New Look,” 90.

challenge both the political system and any sort of emerging peace settlement if
democracy fails to fix the problems that led to or were aggravated by conflict.

Jack Snyder also compiles evidence of the democracy-conflict link in his book,
*From Voting to Violence: Democratization and Nationalist Conflict*. Drawing from
instances of ethnic and identity conflict during the 1990s, he argues that most of the states
implicated:

…experienced a partial improvement in their political or civil liberties in the year
or so before the strife broke out. Most of these conflicts occurred in states that
were taking initial steps toward a democratic transition, such as holding contested
elections and allowing a variety of political groups to criticize the government and
each other.\(^{28}\)

In Yugoslavia, for example, relatively peaceful relations among ethnic groups were made
more conflictual as a result of the democratization process. The democratic transition
brought “rising expectations, a higher level of resources, the assertiveness of newly active
forces, and the relaxation of traditional constraints,”\(^ {29}\) all placing stress on intergroup
relations.

Like Saideman et al., Snyder notes that the leadership and early institutions
present during democratization play a crucial role and either help or hurt the formation of
a civic, national identity. He writes: “How people are included in the political life of their
state determines the kind of nationalist consciousness that they develop, as well as the
degree of nationalist conflict that democratization brings.”\(^ {30}\) This evidence is more in line
with a constructivist view of identity, as conflict among ethnic and religious communities

\(^{28}\) Jack Snyder, *From Voting to Violence: Democratization and Nationalist Conflict* (New York: W.W.

\(^{29}\) Samuel H. Barnes, “The Contribution of Democracy to Rebuilding Postconflict Societies,” *

\(^{30}\) Snyder, *From Voting to Violence*, 36.
becomes more problematic because of the opportunities and motivations presented in democratic government. If groups receive credible guarantees that their members will be included and their interests acknowledged in the new power configuration, they may become more supportive of the state generally and democratic processes in particular.

The likelihood of conflict is greatly affected by the presence of elites who take advantage of the transitional uncertainty to mobilize support and gain followers through appeals to identity. David A. Lake and Donald Rothchild argue that while political entrepreneurs might not subscribe to the views of extremists who completely oppose compromise across identity groups, they understand the usefulness of identity arguments to succeed politically. Accordingly, “Ethnicity often provides a key marker for self-aggrandizing politicians seeking to build constituencies for attaining or maintaining political power.”

A process of “ethnic outbidding” then ensues where more moderate politicians realize they must too seek support on the basis of ethnicity, race, or religion in order to compete with more immoderate candidates. Consequently, citizens’ choices of candidates are differentiated largely by their membership in a particular community, and they come to equate their political identities with their ethnic or religious identities.

Benjamin Reilly similarly argues that the mobilization of identity by elites and the formation of identity-based political parties are common during democratization in multiethnic states. In his view, the emotive nature of appeals to a community’s history and survival is especially contributory to the likelihood of conflict during this period.

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Burundi is one state where ethnic mobilization by elites in the context of competition for political power led to disastrous outcomes. While the 1993 elections were intended to create a power-sharing government, the formation and strengthening of parties characterized by ethnic identities and demands “served as a catalyst for the ethnic genocide that was to follow.” Not every case of violence is so extreme, but Burundi is evidence of the important role of elites in the process and their potential to either help or hurt democratization.

The potential for identity conflict is also a product of the effectiveness of the state in providing social and economic goods for all citizens, irrespective of ethnicity, race, or religion. The state itself can play an important role in creating a national identity that might not exist naturally within its territorial boundaries. As Sami Zubaida argues:

…there is a ‘material’ basis to this formation of the nation-state in the economic-fiscal function of the state, its allocation of resources and employment in its swelling ranks, supplemented by a national educational system that produces qualifications for employment, and cultural field of media operating in a standardized national language.

Many of these tasks are implicated in a state’s modernization in the fields of communications, education, and industry. If states are unable to successfully develop their economies and social structures, however, attempts to create a national identity will be ineffective and may even generate tensions due to a perception that some groups have benefited at the expense of others.

States such as these have largely failed to create the social capital, or social relations based on cooperation and trust, often considered necessary for democracy.

33 Reilly, “Political Engineering,” 813.
Snyder emphasizes the challenges to democratization in states with economic and social hardships:

Traditional patronage networks often dominate the politics of such states. […] The capacity of these societies for mass-scale collective action is so low that patronage networks tend to focus on smaller-scale ties among personal cronies, strongmen, clans within the broader ethnic groups, or other localized networks.  

Though democracy provides greater access to the political system, societies inexperienced in cooperation across identity groups in pursuit of broad, national goals may fail to take advantage of new opportunities for civic engagement and identification. Rather, citizens of these states will continue to look to their respective communities for security and support.

Identity conflict related to democratization in turn weakens the state and lessens its ability to manage threats to its authority and security. Lake and Rothchild believe much of this conflict is initiated by groups that are distrustful of the state’s capacity to mediate among competing demands and thus worry about their communities’ future economic and political wellbeing. Accordingly, “Collective fears of the future arise when states lose their ability to arbitrate between groups or provide credible guarantees of protection for groups.” Elites who appeal to ethnicity or religion become more attractive and seek to capitalize on the fears of their supporters, leading to further destabilization.

Lake and Rothchild go so far as to argue that state weakness is a necessary condition for the occurrence of violence among ethnic or other identity groups. They write:

35 Snyder, From Voting, 72.
36 Lake and Rothchild, “Containing Fear,” 43.
As groups begin to fear for their safety, dangerous and difficult-to-resolve strategic dilemmas arise that contain within them the potential for tremendous violence. As information failures, problems of credible commitment, and the security dilemma take hold, groups become apprehensive, the state weakens, and conflict becomes more likely.\(^{37}\)

It is also possible that the process of democratization, by threatening established power relationships, will lead once dominant actors and their followers to seek to keep the state weak and easy manipulated. Successful democratic consolidation is then threatened as the state is unable to provide security and the new institutions remain ineffectual. Again, a constructivist view of identity is implicated as state weakness prior to or as a result of democracy is problematic in the incentives and opportunities it provides for identity conflict.

As will be explained more fully in following chapters, Iraq was in many respects a weak state at the time of the 2003 invasion and American-led transition to democracy. This weakness combined with divisions along identity lines ensured that democratization would face numerous challenges. Andreas Wimmer writes in 2004:

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\ldots\text{even if most Iraqis wanted democracy, it may not work because the political conflicts unleashed by democratization exceed the conflict absorption capacities. More specifically, democracy entails the danger that the demands of the Kurds, Shia, and Sunni leaders spiral up and unleash centripetal forces that cannot be held in check by a weak center.}\]

\(^{38}\)

While the extent of Iraq’s sectarian and ethnic divisions is debatable, increased demands for political and economic power in an already fragile state served to antagonize communities and complicate the process. Democracy became framed as a competition among the Kurds, Shia, and Sunni for control of the state.


The Sunni reaction to democratization, for example, confirms the expectation that the uncertainty of a democratic transition increases the likelihood of conflict in divided states. This is especially the case when an ethnic or religious minority was favored by the authoritarian regime, as the Sunnis were by Saddam Hussein and other Iraqi leaders. In such a situation, Beissinger writes:

…changing the regime necessarily means fundamentally changing the system of ethnic stratification. The main problem facing democratizers in such countries is how to demobilize previously favored minorities and gain their acquiescence to their altered, less favored role in a reconstructed social order.\(^{39}\)

The process of de-Baathification undertaken by the U.S., through which thousands of Sunnis belonging to Saddam’s Baath party were removed from their state positions, did little to reassure Iraq’s Sunnis that democratization would not involve anything more than their loss of power at the hands of the Shia and Kurds.

Lake and Rothchild similarly argue that it is often the perceptions of the minority concerning their place in the new system that determines the viability of democracy. Much of this is due to their fears of the future, as well as the inadequacy of the new democratic institutions to adequately express and protect their interests. According to Lake and Rothchild:

…for the less powerful group to agree voluntarily to enter and abide by the contract, its interests must also be addressed, including its concern that the more powerful group will try to exploit it and alter the terms of the contract at some future date. Indeed, it is the minority, fearful of future exploitation and violence, that ultimately determines the viability of any existing ethnic contract.\(^{40}\)

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\(^{39}\) Beissinger, “A New Look,” 91.

\(^{40}\) Lake and Rothchild, “Containing Fear,” 50.
Though democracy in theory protects the individual rights of all citizens, its majoritarian outcomes may lead minority groups to be concerned for both their political and security prospects.

Elections are the major arena within which frustration and anxiety play out during democratization, and thus commonly provoke conflict. Groups that expect to lose power as a result of the election process attempt to discredit this crucial step in the democratic transition. According to Jarstad:

> By threats and intimidation, these actors may seek to disrupt the transition, overthrow the election results, or prevent election campaigns or voters from going to the polls. In the worst cases, elections trigger violent conflict and the process of democratization is halted or reversed.\(^{41}\)

Though it is hoped political parties or factions will form on the basis of issues other than identity, the highly competitive nature of the first contest for political power often leads elites and individuals to support those groups with whom they feel the most affinity. The lines drawn in the process of the first election may then come to characterize the creation of a government and future elections.

Voting along strictly identity lines was particularly obvious in Bosnia’s first democratic electoral contest. Deep enmity and distrust among ethnic groups there prevented the formation of multiethnic political parties and significant voting across ethnicities. The resulting divided government meant that any cooperation or deliberation among ethnic groups had to be done at the elite level, limiting citizen participation and broader societal change.\(^{42}\) Interactions among Bosnian ethnic groups were truly strained,

and democratization did not succeed in bringing groups together in an equal and representative political system. While it was hoped later elections would shift from essentially ethnic censuses, there has so far been little incentive for political actors to seek support from individuals outside their communities. The government remains divided, with political contests viewed in strictly ethnic terms.

In democratization more generally, elections are viewed as an important event in the progression towards representative government. As a result:

Where favorable circumstances prevail (i.e., an agreement on the rules of the political game, broad participation in the voting process, and a promising economic environment), elections can promote stability.43

This is very rarely the case in new democracies or democracies affected by some level of identity conflict. For example, ethnic conflict followed many states’ initial experiments with popular elections in Eastern Europe and the former Soviet Union.44 An avoidance of such problems would seem to require that the actors most involved in the transition consider the fears and demands of political participants while attempting to establish and adhere to clear and equitable rules.

Linz and Stepan argue that the order of elections is important for avoiding or at least managing these problems. According to their analysis, national elections should be held first to encourage the framing of issues and positions on national terms. Political parties will then have an incentive to appeal to individuals from all groups in order to widen their support base. Winners of national contests will also need to make decisions on the basis of what is best for the entire country, rather than one community or region.

43 Lake and Rothchild, “Containing Fear, 60.
Conversely, if regional elections are held first, political actors have reasons to focus on narrower interests. In the process, the state comes to be viewed as a collection of distinct and competing regions rather than a unified whole.\textsuperscript{45} Linz and Stepan show that this was the case in Yugoslavia, where ethnic issues became dominant after the regional elections in 1990.

Given the contentious nature of elections in newly democratic countries, many theorists have drawn attention to the role of electoral systems in encouraging various political outcomes. Donald Horowitz, for example, argues, “The electoral system is by far the most powerful lever of constitutional engineering for accommodation and harmony in severely divided societies.”\textsuperscript{46} Benjamin Reilly, in his summary of institutional choices for new democracies, similarly notes that the “strategies of cooperation or antagonism” provided for by different electoral systems influence both election results and other political practices within democratic government.\textsuperscript{47} The importance of the first elections in shaping future party relations and political campaigns requires a consideration of how actors might react during the lead-up and holding of elections. This includes an acknowledgment of the ways elites frame the campaign and their effects on the process.

Voters in states where this is not sufficiently accounted for often end up perceiving elections as a zero-sum game. Accordingly, they believe their identity group must win in order to participate in any meaningful way in the government. This winner-take-all mentality could be said to have influenced democratic elections in Nigeria, where

\textsuperscript{45} Linz and Stepan, “Political Identities,” 124-5.
\textsuperscript{46} Donald Horowitz, \textit{A Democratic South Africa? Constitutional Engineering in a Divided Society} (Berkeley: University of California Press, 1991), 163.
violent ethno-religious conflicts spread after the first election of a post-military regime. Ukoha Ukiwo writes, “…the majoritarian principle is problematic in plural societies because ethnic parties that lose elections tend to reject not only the election results but also the whole gamut of democratic institutions by appealing to violence.” Elections are symbolic in their signaling of the end of authoritarianism, and functional in their seating of a representative government. If they fail to bring all major groups into the democratic system, however, there is the risk that groups that perceive themselves slighted will resort to other, possibly violent means to voice their demands.

Beyond general agreement on the importance of electoral systems and their influence on political behavior, however, theorists have numerous stances on the specifics of institutional engineering. According to Reilly, this disagreement is largely on the lines of party list proportional representation versus alternative vote, single transferable vote, or other rules that incentivize the creation of ethnically or religiously heterogeneous political parties. In many ways this characterizes the debate over consociationalism versus centripetalism. There is continued discussion considering the merits of each system, but:

Regardless of whether consociational or centripetal approaches (or some mixture of the two) are favored, there is widespread agreement among many scholars that some type of power-sharing government featuring all significant groups is an essential part of democracy-building in divided societies.

It is important that all groups are included and, as a result, invested in the government.

Still, there cannot be said to be one electoral system or system of institutions that works best for all democracies in divided states. Much depends on context. As Reilly and Andrew Reynolds write:

The optimal choice for peacefully managing conflict depends on several identifiable factors specific to the country, including the way and degree to which ethnicity is politicized, the intensity of conflict, and the demographic and geographic distribution of ethnic groups.\(^{51}\)

Additionally, the system most likely to bring an end to conflict may unfortunately not best provide for government effectiveness and eventual democratic consolidation. The role of elites and their willingness to cooperate and govern for the best of all communities is also crucial.

The challenges outlined above have led some observers to question whether democratic government is both feasible and desirable in states whose populations are divided along religious or ethnic lines. It should be acknowledged, however, that the presence of multiple identity groups within a state does not guarantee conflict nor prevent successful democratization. Rather, it matters more how the issues of uncertainty and competition are handled during the transition. The absence of functioning institutions and governmental ineffectiveness characteristic of early democracies means such regimes are unable to accommodate the demands of all new political actors. Still, institutionalized and rule-bound democracy remains the best option for managing identity conflict and addressing the demands and grievances of both communities and individuals.

Iraq has faced many of the challenges associated with democratization described here. Its sectarian and ethnic divisions were combined with a weak state and a collapse of

security. New political opportunities encouraged competition for control of the state by
groups that had previously been marginalized, raising the stakes of electoral success and
potential loss of power. As has been argued, it is in such contexts that relevant actors
must recognize the potential for conflict and seek to ensure that the new democratic
institutions include all groups. Though Iraq’s experience is in many ways not unique, its
historical circumstances and progress to this point deserve attention and analysis in order
to determine its potential success.
CHAPTER THREE: IDENTITY IN IRAQ – A HISTORICAL OVERVIEW

While conflict regarding the identities of Iraqis seems to have worsened since the U.S. invasion, uncertainty over the proper object of their loyalty has existed since the creation of the state. As Adeed Dawisha writes:

The concern over Iraqi unity relates to the seeming gradual eclipse of a national Iraqi identity by sub-state, ethnosectarian identities. But that is hardly a unique or even contemporary phenomenon. Multiple identities and loyalties are as old as Iraqi history.\(^{52}\)

Over time, divisions have manifested between Sunni and Shia, Arab and non-Arab, and nationalism based on pan-Arabism and the territorial state. A better understanding of the historical development of Iraqi identity is crucial for an analysis of its modern democratic system and the prospects for its success.

There was little sense of shared identity at the time of Iraq’s creation. The economy was based predominately on agriculture, with few towns. Tribal ties and kinship were the major determinants of relationships and there were limited links among people of different regions.\(^{53}\) Despite evidence that the geographic term “Iraq” was in use since the medieval era and increasingly by travelers and officials during the 1800s, it is unclear if the population viewed themselves in terms of territory. As Phebe Marr argues, Iraq was subject to “invasion, disruption, and discontinuity” beginning with the Mogul conquest in

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the 13th century, and as a result, was “an environment in which a cohesive identity, especially one based on territory, did not easily take root.”54 In this view, the state of Iraq is largely artificial, composed of groups who have little in common in terms of history or culture.

Iraq is not unique in the challenges it has faced related to nation and state-building, coupled with a history of invasion and foreign occupation. Gareth R.V. Stansfield notes this, writing:

The logical progression of Western nation-building...starts out from ‘the state,’ goes through the constitution of a political nation inclusive of all citizens irrespective of class and geographic location and finally yields cultural homogeneity and cohesion,55 an assumption completely absent in Iraq. Rather, Iraq is divided along sectarian and ethnic lines and composed of communities with historically little or no connection to the center. A state such as Iraq with no coherent, unified, national identity is not fertile for representative government in which political actors are expected to cooperate and compromise for the good of the entire country rather than their respective ethnic or sectarian identity groups.

Yet others argue that most Iraqis do consider themselves Iraqi first and Shia, Sunni, Turkoman, or Kurd second. Iraqi national unity exists “even after 35 years of wars, the brutal suppression of minority rights, and the continued assault on civil society.”56 If this is so, it is worth asking why sectarian identities have often conflicted

56 Hala Mundhir Fattah and Frank Caso, A Brief History of Iraq (New York: Facts on File, 2009), xiii.
and violently reasserted themselves in the period following Saddam’s removal. The true nature of these divisions and the causes of their manifestation must be accounted for in an analysis of the democratic transition and the likelihood of democratic stability. If conflict among Iraq’s communities is based on primordial identities vying for their own state, Iraq may very well split along ethnonational lines. If, however, Iraq’s Sunnis, Shias, and Kurds are competing over the single entity of the Iraqi state, much as they have done throughout the country’s history, it is possible democracy can come to channel these conflicts through generally peaceful political institutions.

In my view, a better understanding of Iraq and its peoples’ identity goes beyond the common artificial explanations and looks to the state’s legacy of poor leadership and an exclusionary political system. According to Stansfield:

> While…there is now competition between (and often within) groups for power in the post-2003 period over who controls the state, the struggles at the beginning of the twentieth century can more accurately be described as conflict between communal groups and the state.57

The leaders of the nascent Iraqi state sought to control the population by promoting religious, ethnic, or tribal identities, and favoring certain segments of society as fit their goals. The consequent weakening of Iraqis’ civic identities remains problematic today, particularly in the aftermath of a war and the creation of a democratic process in which sectarian and ethnic identities have gained resonance.

Great Britain was awarded the mandate for Iraq by the League of Nations in 1920. This mandate was to continue until the state was capable of self-sufficiency, an ambiguous deadline that assumed Great Britain would guide Iraq into political and

economic modernity. According to Thabit A.J. Abdullah, the mandate “…was a bitter
blow to the country’s embryonic national leadership which had hoped for a rapid move to
independence.”\textsuperscript{58} Furthermore, each of the new state’s provinces had a strong rural-urban
divide and distinct realms of political and economic influence. For example, Basra was a
distinct entity before the British invaded in 1914-1915 due to its proximity to the Gulf
and trading networks with India and Iran. Baghdad, on the other hand, had cultural and
economic ties to Persia and Instanbul, while Mosul was affiliated with present-day
Syria.\textsuperscript{59} Abdullah argues further that “[o]f all the Ottoman provinces in the Middle East,
those in Iraq had demonstrated a strong resistance to centralized rule.”\textsuperscript{60}

A degree of Iraqi nationalism did exist in the period following the mandate, due
largely to the continued British presence and its seeming interference in the new state’s
affairs. Consequently, Iraqi nationalists worked to rid the state of British control and to
exercise political decisions free from Britain’s system of advisors. According to Eric
Davis, “Although confessional differences had begun to appear, opposition to the British
was still sufficient to override them.”\textsuperscript{61} This frustration and unity of purpose led to the
Revolution of 1920, a large-scale uprising against the British in which all of Iraq’s
communities participated.\textsuperscript{62} The uprising was evidence that Iraq’s communities, if
properly motivated, could unite and perceived themselves as a distinct entity being violated
by a foreign power.

\textsuperscript{58} Thabit A.J. Abdullah, \textit{Dictatorship, Imperialism, and Chaos: Iraq since 1989} (London: Zed Books,
2006), 11.
\textsuperscript{59} Marr, “One Iraq or Many,” 18-19.
\textsuperscript{60} Thabit A.J. Abdullah, \textit{A Short History of Iraq} (Harlow: Pearson Education, 2011), 93.
\textsuperscript{61} Davis, \textit{Memories of State}, 52.
\textsuperscript{62} Fattah and Caso, \textit{A Brief History}, 160.
Still, sectarian divisions did influence the rebellion. For example, many powerful Sunnis held back their support anticipating that a successful ouster of the British would give the Shias power. Shia tribal leaders who had taken advantage of British patronage and owned large properties similarly resisted the rebellion in fear of what a new political order would bring. Finally, Kurds did not become involved and were hesitant of the prospect of an Iraqi state likely led exclusively by Arabs.\textsuperscript{63} Many Iraqis disliked the British, but the state and its resources and institutions were an object of competition for which Iraqis divided themselves largely along communal lines.

Despite the Iraqis’ frustration, the revolution was put down by Great Britain and Iraq remained under British control until 1932. The number of fatalities and war weariness at home led Great Britain to reassess its relationship with the new state and take steps to ease the tensions, including establishing a provisional government. They put the respected Sunni religious scholar and shaykh, Abdul-Rahman al-Gailani, as head, and filled the other positions mostly with Sunnis. Even so, Iraq’s Sunnis and Shias continued to find some areas for cooperation, as elites from both groups agreed on the creation of an Arab Islamic state with a monarchy and constitution.\textsuperscript{64} Kurds were largely excluded from these debates, but there existed hope that an equitable and representative system could be created.

The British deliberated among themselves over who should best lead Iraq. According to Dawisha, “divisions were so deep that when it came to choosing a ruler for the new state, the British realized that no local candidate could command the support of

\textsuperscript{63} Abdullah, \textit{A Short History}, 97-8.
\textsuperscript{64} Fattah and Caso, \textit{A Brief History}, 161.
Consequently, they offered the throne to Faisal bin al-Hussein, son of Sharif Hussein bin Ali of Mecca, leader of the 1916 Arab Revolt against the Ottoman Empire. Faisal had assisted Great Britain in the Arab Revolt, believing he would be rewarded with control of an independent Syria. However, Britain had also guaranteed France jurisdiction over Syria through a competing treaty known as the Sykes-Picot Agreement. A declaration of Syrian independence by Faisal and other representatives in March 1920 was met with French resistance, and Britain chose to support its European ally rather than uphold the earlier agreement with Hussein and Faisal. The French army defeated Faisal in July 1920, and the new king was banished.

The British might have selected Faisal for the Iraq position because they felt a sense of guilt over their decision to defend the French claim. More importantly, however, Faisal was “a man who had come to terms with the British presence in the Middle East,” and thus was seen as a dependable source of stability. Additionally, he was a candidate supported by Britain’s Iraq allies. Faisal took power on August 23, 1921, after a referendum that boasted 96 percent of Iraqis accepted his appointment, a figure that was highly manipulated by the British.

The 1925 constitution created a two-chamber parliament with elections, an independent judiciary, and a king who could exercise veto powers over any legislative decisions. The parliament was hardly representative, however, due to the questionable

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67 Fattah and Caso, A Brief History, 161.
68 Fattah and Caso, A Brief History, 161.
legitimacy of the elections and the control exercised by powerful tribal leaders. In all, the biggest obstacle to political development in Iraq during this period was the inability of the central government to exercise authority over the entire country, coupled with a strong sense of separateness among the former Ottoman provinces. While Baghdad had long been a center of trade and culture, the fact that 80 percent of Iraqis lived in the countryside had no sense of an Iraqi national identity detracted from it being perceived as a legitimate administrative capital.

Great political change led to a flux in traditional roles, spurred further by new market relationships and social interactions. The role of intellectuals was important during this period, as they encouraged a shift from an identity “grounded in religion, confessionalism, and traditional families to one based on education, technical expertise, and secular values.” In line with Western ideas, the elites advocated loyalty to the newly created nation-state and its institutions as opposed to traditional devotion to the Islamic community, emphasizing the importance of secular education and scientific progress. In general, however, a deeper allegiance to the state was limited mainly to educated, urban government officials and military members, as well as local landowners and wealthy elites who looked to the state for security and support. As Marr writes, “for the most part, this was a small, thin, mainly Sunni strata, and identification with the state was based more on patronage than positive fealty.”

Tribal relationships retained their significance and further prevented the creation of a civic identity that encompassed all Iraqis. Historically, tribal confederations known

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70 Davis, *Memories of State*, 41.
71 Marr, “One Iraq or Many,” 19.
as *qabils* have formed an important part of many Iraqis’ identities, and most Iraqis can trace their familial ties to one of the nine *qabila* in place since the seventeenth century.\textsuperscript{72} The British sustained tribal identity by creating laws that “privileged the ruling tribal stratum,”\textsuperscript{73} including the Tribal Criminal and Civil Disputes Regulation incorporated into the 1925 constitution. This law awarded loyal shaykhs administrative powers, including the collection of taxes, over their territories. By balancing competing forces against each other, these policies helped the British to maintain control and stem potential challenges to their rule.

According to Martin Bunton, the British colonialists left a “primordialising legacy” in Iraq by allying themselves with tribal leaders.\textsuperscript{74} These leaders were seen as conservative and thus capable of ensuring social stability with little cost to the Great Britain. Many Shia realized their wellbeing was best secured by aligning with the central state and thus cooperated with these policies as well. However, both Sunni and Shia worked with the government based on their communal identities rather than their identities as Iraqis. Collaboration between the two communities took place in an environment where each was competing against the other for an increased share of state resources and political influence, a rivalry in which the Sunni usually prevailed.

Sunni dominance in the new government and administration became more pronounced over time. Britain’s inclusion of a limited number of Shia was largely


\textsuperscript{73} Fattah and Caso, *A Brief History*, 168.

\textsuperscript{74} Martin Bunton, “From Developmental Nationalism to the End of the Nation-State in Iraq?,” *Third World Quarterly* 29.2 (2008): 635.
nominal, and they held no real power. Furthermore, many Shia ulama who had participated in the 1920 uprising were banished to Iran, depriving the community of its religious and moral leaders. As a result, “Shia resentment at being excluded from the reins of power increased.” Though the majority of the population, Shias were underrepresented and remained so throughout the monarchy and the republic. This legacy of Sunni dominance and Shia bitterness remained an unsettled issue and became a source of conflict particularly during the transition to democracy after 2003.

Historically, Sunni Arabs were favored under the Ottoman Empire and held the majority of its administrative positions. Furthermore, Sunnis formed the largest group in Iraq’s urban areas and thus were closer to the centers of power. The decision by the British to continue this trend reflected the fact that Sunnis were better educated and attended the modern state schools established in the area during the late 19th century. In contrast, most Shia had traditional educations from religiously-based schools. As Marion Farouk-Sluglett and Peter Sluglett write, “…when the Iraqi state was created in 1920, there were few qualified Shia able or willing to take part either in the leadership of the government or in the administration.” The Iraqi government, influenced by Great Britain, became comparably reliant on a narrow sector of the population for its power.

Years of Ottoman favoritism towards the Sunni followed by similar British policies led many Shias to look to their own community for social and political direction. The Shia religious system and its recognized clerical leadership meant the group has historically had more distinct and self-serving institutions and a distinguishable

75 Davis, Memories of State, 48.
counteridentity.\textsuperscript{77} For example, Shias had separate courts, aid institutions, and other administrative organizations. It remains the case, however, that Sunnis and Shias lived in the same neighborhoods and often cooperated for business purposes. Additionally, according to Abdullah, Shias in Iraq embraced their Arab heritage and thus separated themselves from the Shia of neighboring Iran.\textsuperscript{78} Sources of unity were present, but were little encouraged by Iraq’s leaders or its political system.

The state also marginalized its Kurdish population, most noticeably in the new leaders’ decision to establish Arabic as the language of the state and education. This had further implications for overall Iraqi identity, and according to Marr, “tended to open the door to a broader Arab identity, rather than one focused simply on the new state.”\textsuperscript{79} The tension between loyalty to the Iraqi state versus the larger Arab world was to remain an issue throughout Iraq’s development, and shaped the formation of the population’s identity for years to come. For the Kurdish case, in particular, it led them to look to their fellow Kurds, including those in neighboring states, rather than other Iraqis.

The state’s lack of economic development during this formative period affected its citizen’s identities, as most Iraqis remained outside the formal economy until at least the oil boom of the 1950s. Consequently, the existence of:

\[\ldots\text{a landholding class and a small urban elite, which controlled both wealth and power, left the bulk of the population without the ‘stake in society’ that supports identification with the state and its government.}\] \textsuperscript{80}

\begin{footnotes}
\item[77] Marr, “One Iraq or Many,” 17.
\item[78] Abdullah, \textit{Dictatorship}, 8.
\item[79] Marr, “One Iraq or Many,” 20.
\item[80] Marr, “One Iraq or Many,” 22.
\end{footnotes}
Individuals and groups that were excluded politically were also marginalized economically, leading to deeper frustrations with the status quo. Again, this situation served to encourage more narrow relationships and fewer linkages among Iraqis from different regions.

Marr argues that the initial period after Iraq’s creation was “a missed opportunity to create a new identity grounded on a multiethnic, multisectarian basis.” The expansion of the central government’s power over distinct regions and the establishment of a parliamentary system and monarchy brought various segments of society into the state apparatus to a limited extent. However, the leaders were ultimately unsuccessful in this regard: “Iraq’s political class could have put more focus, over time, on these new institutions to embed them in the public consciousness and make them part of Iraq’s new identity,” and according to Marr, this was not adequately done. The state building project failed to involve the Kurds, Shia, and those Sunnis unconnected by patronage to the central government.

Increased contact with the West during this period offered new political philosophies and understandings of group relations, including the concept of nationalism. Consequently, the possibility of an identity based on shared language gained followers in this time of transition. Pan-Arabism emerged as an alternative to either sectarian or state-based identity. According to Abdullah, pan-Arabism:

was primarily a reaction to colonial rule. It argued that modern Iraq, along with the rest of the Arab countries, was an artificial creation. Its natural identity could

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81 Marr, “One Iraq or Many,” 20.
not be separated from that of a single Arab nation stretching from Morocco to the Persian Gulf.⁸³

In this view, separate countries joined by language and history were to unite territorially and politically to regain strength in a post-colonial world.

As Davis writes, “It was this tension between continuity and change that helps explain the rise of two competing definitions of political community, one Iraqi nationalist and one Pan-Arab, that began to vie for hegemony.”⁸⁴ Iraqists, or those in favor of a narrower, state-based identity, were not opposed to relations with other Arab states, but placed greater emphasis on finding solutions to Iraq’s political and economic problems. Pan-Arabists, on the other hand, relegated domestic problems to the goal of Arab unity.⁸⁵ The controversy over pan-Arabism versus state-based, Iraqi identity similarly influenced other Arab countries struggling with how best to gain power in a largely post-colonial world.

Identity based solely on the Iraqi state generally attracted Shia, Kurds, and religious minorities. Conversely, pan-Arabism tended to appeal to Iraq’s tribal constituents, as the ideology was perceived to be reminiscent of the early Islamic empires and their communities of believers. Writes Davis, “Similar to tribal members who focused on blood ties rather than spatial location, the Pan-Arabists substituted ethnic purity for a more precise territorial definition of space.”⁸⁶. This put Iraq’s communities at odds over the nature of the state. First, the Kurds were not Arab, and they might have better responded to an identity based on Iraq’s territory. Second, Shia, though Arab,

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⁸³ Abdullah, A Short History, 105.
⁸⁴ Davis, Memories of State, 37.
⁸⁵ Abdullah, A Short History, 106.
⁸⁶ Davis, Memories of State, 78.
disliked the secular focus of Arab nationalism with its Sunni underpinnings and were fearful of a unified Arab state in which they would be a minority.\textsuperscript{87}

Despite these challenges, some of Iraq’s early leaders made a concerted effort to foster national unity. Under Faisal’s guidance in particular, important educational and cultural policies were put in place to encourage a unified Iraqi state. As Hala Mundhir Fattah and Frank Caso write, “Perhaps the one monarch who really tried to bridge the sectarian, ethnic, and political divisions in the early years was Faisal I.”\textsuperscript{88} He did so by training talented Shia for government positions and gave them responsibilities in the new state, and by ensuring that the established quotas were filled with members of the Kurdish community. While many participants in this project considered themselves Arab nationalists first, they believed state and Arab loyalty mutually enforcing, for “all the nationalist notions of love of country, a feeling of community, and a sense of togetherness, could be nurtured within the political boundaries of Iraq.”\textsuperscript{89} To these thinkers, a well-functioning state would benefit the Iraqi population and allow Iraq an important role in the Arab world.

The monarchy under Faisal’s successors, Ghazi I and Faisal II, continued to foster support across Iraq’s sectarian and economic groups. They tended to focus, however, on the most powerful tribes and families. Sunnis also resisted any meaningful inclusion of other groups and a potential loss of their privileged position. This prevented Iraq’s government from being truly representative. Fattah and Caso write: “…the Iraqi state…continued to rely on a narrow sector of the populace that formed the pillars of state

\begin{footnotes}
\item[87] Marr, “One Iraq or Many,” 23.
\item[88] Fattah and Caso, \textit{A Brief History}, 173.
\item[89] Dawisha, “The Unraveling of Iraq,” 220.
\end{footnotes}
rule, the ex-Sharifians and the tribal shaykhs.”

Sunni control extended even into provincial governments in Shia-majority districts. Again, these policies fostered narrow and paternalistic identities rather than an inclusive understanding of Iraqi citizenry such as required for a participatory political system.

In the last period of the monarchy, from 1946 to 1958, both Kurds and Shia had made important gains despite their continued underrepresentation. Multiple prime ministers were Kurdish or Shia, and the Kurds also fielded an important Minister of Interior. The army, parliament, and political parties were largely pluralist and offered promise for a more inclusive state. Unfortunately, most of these institutions came to reaffirm the importance of close connections with the ruling elite. As Fattah and Caso write, “for many national groups, loyalty to the Iraqi state was cultivated on the level of personalized ties, and relations between the emergent state and its constituents were shaped first and foremost by the growth of political patronage.” This further strengthened the tribal Sunni elements at the expense of Iraq’s other communities.

This period further highlighted the dominance of the Sunni in Iraq’s political system and the implications this situation had for sectarian divisions. According to Dawisha, “…while the political fortunes of the Shia and, to a lesser extent, the Kurds varied from one period to the other, Sunni dominance over the political power structure was not challenged.” For example, between 1921 and 1936, only 5 out of 57 ministers were either Shia or Kurdish. In the monarchy period, until 1958, the prime minister and

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91 Abdullah, *A Short History*, 102.
92 Marr, “One Iraq or Many,” 23.
94 Dawisha, “The Unraveling of Iraq,” 221.
ministers of defense, interior, finance, and foreign affairs were held nearly exclusively by Sunnis. This bias extended into positions of military leadership as well. The attainment of political power on the basis of sectarian identity served to highlight these divisions and frustrate the Shia and Kurdish populations.

Political instability did not change the overwhelming preponderance of tribal and kinship identity as a marker of political power. Between the state’s creation and the end of the monarchy ten elections took place and over fifty cabinets were assembled. This did little to bring new interests or voices to the political process. As Abdullah writes, “Rarely…did these interruptions represent anything more than a reshuffling of posts.”

The tendency for personal connections to trump meritocratic considerations continued even as the state bureaucracy expanded and the central government was able to exert more influence on the periphery.

This situation made it difficult for any Iraqis to view themselves as citizens of a unified state rather than members of ethnic and sectarian groups. According to Marion Farouk-Sluglett and Peter Sluglett:

…while presumably intending to promote the formation of an integrated nation-state, the governments under the mandate and monarchy in fact helped to reconstruct and perpetuate pre-capitalist and tribal relations through their tribal and land tenure policies.

Rather than reducing tribal identities, a phenomenon that began under the Ottomans, the British strengthened these ties and reduced the likelihood that the general population would identify with the state and its institutions. This situation created “the most

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95 Stansfield, *Iraq*, 47.
96 Abdullah, *A Short History*, 102.
97 Farouk-Sluglett and Sluglett, “Historiography,” 1411.
wretched future for the masses of the landless, impoverished tribesmen and peasants who suffered under the shaykhs’ whims,“98 thus depriving many of Iraq’s communities both economically and politically.

A lack of economic development caused further discontent with the state and its representatives. Though oil revenues greatly increased during the 1950s, most resulting economic progress benefited the already prosperous landholders and other clients of the state. As Martin Bunton writes, “The result was greater patrimonialism: the state in fact became increasingly autonomous from the people and dependent on the interests of local elites and foreign companies, while ignoring the underlying poverty and inequity.”99 Increased separation between the center and the majority of Iraqis who lived on the margins of state influence meant communities and regions remained disconnected from and unaffected by elite gains.

In 1968, after a series of coups and transfers of power, members of the Baath political party took control under Abdul Rahman Aref’s regime and named Ahmad Hassan al-Bakr president. The Revolutionary Command Council, a group controlled by the Tikriti tribe and belonging exclusively to the Talfah clan, became the new center of power. Though unpopular at first, the Baathists succeeded in passing social and economic programs that reached the peasants, young people, and members of trade unions. Amidst this increase in power, Saddam Hussein became president of the Revolutionary Command Council and consequently of Iraq in 1979.100

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98 Fattah and Caso, A Brief History, 175.
The ideology of Baathism was developed in Syria during the 1940s and centered on pan-Arab populism. Its proponents argued for the reunification of the Arab world to regain its historical destiny, a political philosophy filled with “references to an idealized and romanticized notion of the past.”101 Pan-Arabism’s appeal in Iraq was limited largely to the Sunni upper and middle classes, as they formed the majority of the urban populations, Baathists’ traditional centers of power. Additionally, the majority of the Arab world is Sunni, and Sunnis in Iraq saw their interests better served by joining in such a confederation. Their lack of support from other segments of the Iraqi population did not prevent the increasingly powerful Baathists from legitimizing their rule and silencing any opposition through calls to the interests of the Arab nation.102

In the early Baath period, from 1968 to 1979, its leaders worked to modernize the economy, improve medical care and education, and build a strong middle class. Marr writes that “this trend…facilitated the erosion of ethnic, sectarian, and tribal identities.”103 In addition, urbanization accelerated, increasing by 30 percent over a thirty year period to 65 percent of the population in 1977. This brought a greater number of Iraqis, both urban and rural, into the state market. Despite continued Sunni dominance in state affairs, Shia businessmen were increasingly prosperous and more Shia gained technical expertise through expanded education104 Shia experienced less economic marginalization during this time, but were still highly underrepresented politically.

101 Farouk-Sluglett and Sluglett, “Historiography,” 1416.
104 Farouk-Sluglett and Sluglett, “Historiography,” 1412.
The late seventies were thus characterized by increasing regime support from wider segments of society, including Sunnis, Christians, and many educated Shias. As Davis writes:

This was due in large measure to a deceptive political calm; the creation of a general welfare state; massive infrastructural development, including roads, electrification of villages, and new housing complexes; and the nationalization of foreign oil.\textsuperscript{105}

Still, much of the seemingly prosperous economy was tied heavily to the state and thus available to government exploitation. This led to insecurity on the part of many Iraqis, and a sense of suspicion toward the state and its institutions.\textsuperscript{106} Clear ties to the government and membership in the appropriate tribes were most crucial in securing inclusion in the state and the accompanying material benefits.

The Baathist state worked to mask tensions through a project of identity focused on Mesopotamianism. Baathist leaders pointed to Iraq’s ancient civilizations as evidence of its rightful place in the Arab world and thus of the pride to which its citizens were rightfully entitled. The emphasis on this identity as opposed to the narrower Arab construction also served to minimize Iraq’s sectarian differences, for “Iraq’s Mesopotamian heritage was the only heritage to which all Iraqis – Sunni and Shia Arabs, Kurds, and other minorities alike – could unambiguously relate.”\textsuperscript{107} Though the ancient past was indeed a source of unity for all Iraq’s communities, there was no effort to take concrete steps towards greater inclusion and the political reality remained unchanged.

\textsuperscript{105} Davis, \textit{Memories of State}, 149.
\textsuperscript{106} Fattah and Caso, \textit{A Brief History}, 213.
\textsuperscript{107} Davis, \textit{Memories of State}, 150.
Tribalism had lessened in influence by the mid-20th century, and the Baath party originally attempted to hasten this process, believing it harmful to Iraq’s transition to modernity. However, party leaders reversed their original position during the 1980s and 1990s and promoted tribal solidarity to maintain the regime’s hold on power amidst war and economic hardship.\textsuperscript{108} In pursuit of this goal:

\ldots the Baath moved to appropriate folk culture and establish itself as the true representative of mass interests. To accomplish this, the regime used folklore to demonstrate values, norms, and cultural preferences that were distinctly Iraqi.\textsuperscript{109}

The membership of the Baath Party also underwent a shift, as army officers and intellectuals were replaced by individuals from the lower middle class whose identity was based largely on tribal relations.

Saddam was particularly influential in this development, as he portrayed himself supreme shaykh of Iraq to gain political capital. Though Saddam “sought to play down public consciousness and discussions of tribalism and confessionalism in Iraqi politics and society,“\textsuperscript{110} he realized its attractiveness in a populace still very much traditional. This ploy was especially effective in gaining support from Iraq’s rural areas. Lastly, tribalism was expedient in the 1980s during the Iran-Iraq war as Saddam implemented symbols from the famed Battle of Qadisiya, in which Islam armies defeated Persia in 636, to rally Iraqis. Despite economic and political progress, Saddam undertook a deliberate identity-building project that returned people to their most basic understandings of the nation and its cultural ties.

\textsuperscript{108} Robinson, “Political Development,” 13.
\textsuperscript{109} Davis, \textit{Memories of State}, 150.
\textsuperscript{110} Davis, \textit{Memories of State}, 173.
Donald Malcolm Reid engages in an interesting study of Iraqi postage stamps to portray Saddam’s ongoing manipulation of Iraqi identity for his regime’s purposes. He writes: “Iraqi postage stamps provide a significant gauge of the images that Saddam Hussein wanted to project and of Iraq’s turbulent political course through the twentieth century.”

For example, stamps depict Saddam as a military leader going into battle against Iran, a father comforting a child, a Muslim traveling to Mecca, and a traditionally-dressed Arab leader. These images reflect the importance of symbols in Saddam’s Iraq and the role they played in promoting a particular identity depending upon the regime’s aims. Saddam’s picture was increasingly visible in public displays and the media during this time as well, serving to increase loyalty to him and emotional bonds to the Baathist party.

As the Baathist’ use of tribalism was focused largely on the segments most closely related to its own Sunni base of power, the Shia community was further alienated.

According to Davis:

Sunni Arab Iraqis, particularly those drawn from the rural tribal nexus upon which the Takriti Ba’th based its power, enjoyed privileged access to the state – including its administrative arm, the cultural bureaucracy, the diplomatic corps, the military, the police, and the security services – by virtue of being a member of this ethnic group.

Shias did gain power, but as individuals rather than a constituency. Furthermore, Shias required well-connected Sunnis to retain their positions and to gain additional power.

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112 Davis, *Memories of State*, 274.
Bunton links the regime’s increasing use of symbology to produce support to the reality of economic hardship and the challenges it posed for the system of patronage. He writes:

As the distributive ability of the regime diminished and material rewards came to be confined to ever smaller circles of the regime’s core supporters, themselves becoming defined in cultural terms rather than in programmatic, ideological or civic terms, its reliance on religious, ethnic and cultural factors in its relationship to wider sectors of the population would only grow.113

The identity-building project was not accompanied by any development in the political or economic spheres, however, and thus failed to meaningfully incorporate those segments of the population Saddam was attempting to co-opt. Though many urban Shias had benefited from the prosperity of the 1970s, the wars of the 1980s and 1990s and Iraq’s ensuing economic crisis made such patronage much rarer.

The Iran-Iraq war was an important point in the formation of Iraqi identity, as the majority of Iraqi citizens’ support of their state seemed to trump ethnosectarian considerations. Most Shia fought with Iraq, and many Kurds also joined the fight. Davis argues:

These two elements – the ability of Iraqis from all ethnic groups to work together in what is probably the most complex of human activities, war making, and the demonstration of their commitment to Iraqi nationalism – should dispel the idea that Iraq is an artificial nation-state.114

Iraqi elites capitalized on this sentiment, emphasizing the unity of Shia and Sunni Arabs in the defeat of Persian infidels. The war also marked an attempt by Saddam and his regime to promote Islam as a unifying identity. In a break with the secular ideology of

113 Bunton, “From Developmental Nationalism,” 640.
114 Davis, Memories of State, 199.
Baathism, Saddam held Islamic conferences and was photographed at religious sites to portray his regime as in line with Islamic values and religiously legitimated.\textsuperscript{115}

However, it cannot be denied that the time leading up to the war was characterized by increasing frustration with the Baathist state on the part of the Shia, Kurds, and other opposition movements. The eight-year conflict left 400,000 Iraqis dead or wounded and cost the country an estimated $128 billion, with between $100 and $120 billion in foreign debt.\textsuperscript{116} Great economic hardship in the form of high inflation and unemployment only furthered the processes of political and social repression. Middle class Iraqis suffered the worst, as their wages were decimated by the inflation.\textsuperscript{117}

Saddam’s regime also suffered as it was no longer able to provide the services through which it had engendered support. The regime pursued economic liberalization policies during this time as well, which only intensified the gap in wealth and accentuated the division between those close to the centers of power and those on the edges. The government put rations in place in an attempt to deal with the adversity, but this merely allowed them to reward certain groups for their loyalty and thus hardened the ethnic and sectarian lines already apparent. Since the state was increasingly unable to provide economic benefits, many Iraqis looked within their smaller communities of tribe or family to gain jobs and other needed welfare services.\textsuperscript{118}

Oil prices dropped dramatically during 1990 and reduced Iraq’s annual revenues by nearly $7 billion. Saddam responded to such hardship by accusing Kuwait and the

\textsuperscript{115} Abdullah, \textit{A Short History}, 143.
\textsuperscript{116} Abdullah, \textit{A Short History}, 139.
\textsuperscript{117} Abdullah, \textit{A Short History}, 144.
\textsuperscript{118} Bunton, “From Developmental Nationalism,” 641-3.
United Arab Emirates of intentionally exporting more than their quotas under OPEC and thus driving the price down. He also alleged that Kuwait had illegally drilled from Iraqi wells near their shared border. Iraq’s invasion of Kuwait began on August 2, 1990, and was condemned nearly immediately by the United Nations Security Council. Coalition forces liberated Kuwait on February 28, 1991, soon after the launch of Operation Desert Storm.\textsuperscript{119}

In addition to further economic sanctions, Saddam was faced by a March 1991 revolt of all of the northern Kurdish-dominated and southern Shia-dominated provinces. Though President George Bush had called for the Iraqi people to rise up against Saddam during the coalition’s campaign, help never materialized and Saddam’s military defeated the fractured and unorganized opposition.\textsuperscript{120} The crackdown by the Republic Guard resulted in many casualties and a mass exodus of Kurds to Iran and Turkey and Shia to Saudi Arabia. Only after threat of U.S. military action did Iraq forces withdraw from their campaign of atrocity. As a result, the U.S., United Kingdom, and France created protected havens in the north, for the Kurds, Turkmen, and other small minorities, and in the south, for mostly Shia Arabs.\textsuperscript{121}

While Saddam had attempted to promote his government as meritocratic and Iraq as unified, the regime’s handling of the Shia and Kurdish rebellions in 1991 greatly changed his rhetoric. According to Dawisha, “Saddam would no longer feel the need to apologize for a brazenly ethnosectarian rule centered on family, clan, and tribe from his

\textsuperscript{119} Abdullah, A Short History, 145.
\textsuperscript{120} Abdullah, A Short History, 148.
\textsuperscript{121} Fattah and Caso, A Brief History, 232.
own Sunni heartland.” As evidence, he blamed the 1991 Intifada on a “foreign conspiracy...intended to undermine Iraq’s national identity, as well as its collective mind, conscience, and sensitivities.” He also accused Iraq’s minorities of causing Turkish and Iranian intrusions in modern times, and thus further threatening the state. It was during this time that support of any association opposed to Baathism became a crime punishable by death.

Davis summarizes the effect of Saddam’s heightened rhetoric towards Iraq’s non-Sunni communities:

In referring to ‘the enemies of Iraq and the Arabs,’ Saddam pit[ted] urban Sunni and tribal Arabs against the Shia and non-Arabs. In using the Sunni Arab community’s values and history as a standard by which to measure all other ethnic groups, Saddam asserts that, at its core, Iraq is a Sunni Arab state. These comments engendered Saddam to poorer segments of the Sunni community, who appreciated his praise of tribal culture and values. Additionally, “…the Iraqi leader’s arguments were intended to reinforce fears that Iraq could break apart if marginal groups acquired political power.” Such a sentiment had a number of adherents from among the Shia and Kurdish middle classes, too, as they feared the economic and social instability that might occur if a major political shift were to occur.

The state was vital in appropriating resources and controlling who had access to goods and services during this period of economic hardship. Accordingly, over 16 million Iraqis were dependent on the assistance of the regime. Saddam used this control to

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122 Dawisha, “The Unraveling of Iraq,” 221.
123 Davis, Memories of State, 244.
124 Abdullah, A Short History, 137.
125 Davis, Memories of State, 247.
126 Davis, Memories of State, 248.
reward loyalty, seizing the property of individuals he saw as a threat to the regime and then redistributing them largely to members of the Sunni provinces’ tribes. As Abdullah writes, “In the absence of many state services, people resurrected old social institutions such as tribes or various other communal networks for support. Sectarianism and tribalism received encouragement from the state, especially after the 1991 uprising.”

This served to increase competition and consequently identification along ethnic and sectarian lines.

At the time of the U.S. invasion in 2003, Iraqis were living under a repressive police state with little hope of political progress or economic improvement. Most important for the democracy-building project the U.S. was about to embark on, most of Iraq's population looked to sources other than the state for economic and social support. This did not include a select segment of the Sunni community, whose favored status under Saddam by virtue of being members of his clan gave them the most to lose with regime change. Farouk-Sluglett and Sluglett conclude:

Sectarianism, localism, and other forms of communal solidarity were reinforced largely because the powerlessness of the individual vis-à-vis an arbitrary political system...had the effect of forcing men and women to resort to ‘pre-state’ networks of sect, locality, or family.

Though the state had been in existence for over 80 years, most Iraqis were not much closer to an Iraq-based loyalty than their ancestors had been at the beginning of Faisal’s nation-building endeavors.

127 Abdullah, A Short History, 150.
128 Farouk-Sluglett and Sluglett, “Historiography,” 1414.
Iraq is indeed divided along sectarian lines, but this is due less to the existence of primordial identities and ancient hatreds than political and social authoritarianism and economic hardship. As Farouk-Sluglett and Sluglett wrote in 1991, in Iraq:

…patriarchal values and ties of family, clan, locality, tribe, and sect continue to be reproduced, since the existence of a highly dictatorial and repressive regime for more than two decades has operated against their disintegration.\textsuperscript{129}

These conditions prevented the formation of a unified, civic-based identity despite decades of shared territory and the presence of basic bureaucratic institutions. The tensions among communities after years of competition over limited state resources and political power came to the fore with the removal of Saddam and his regime and a greater deal of freedom than had been experienced in generations.

However, historically there have been no indications that Iraq’s Shias, Kurds, or Sunnis desire independent states as opposed to a greater share of power and resources within the existing territorial boundaries. While it can be argued that most individuals in the state do consider themselves Iraqis, it is also the case that at times other identities have had greater salience depending on the government’s ability to provide representation and goods and services. Dawisha argues:

For the national idea to compete with sub-national particularistic loyalties, the state has to literally woo the citizens away from their ethnosectarian comfort zone. The state needs to show that the interests of the citizen will be served best (and sometimes exclusively) by the state, not the tribe, clan, sect, or region.\textsuperscript{130}

It is in this context that the processes of institution building and democratic government play an important role. Though democracy in Iraq has faced countless challenges so far, a

\textsuperscript{129} Farouk-Sluglett and Sluglett, “Historiography,” 1416.
\textsuperscript{130} Dawisha, “The Unraveling of Iraq,” 222.
political system based on the representation of all interests and equality under the law may offer the best hope of an inclusive and stable state.
CHAPTER FOUR: U.S. MISTAKES POST-2003

Iraq’s history of poor governance and non-representative institutions created deep obstacles to democratization. The United States’ invasion of the country and subsequent decision-making in many ways worsened the already challenging environment. The question of whether or not the U.S. should have invaded Iraq will not be addressed here, though the mistakes made by policymakers lead one to conclude that the U.S. was unprepared for the challenges to come regardless of original intent. An analysis of Iraq’s experiences with conflict and identity politics following Saddam’s removal and the role of American policies in contributing to such experiences is important in understanding the state’s continued challenges. Yet it can still be concluded that despite nearly a decade of intersectarian and political struggles, most actors have decided to participate in the democratic processes in Iraq thus enhancing its legitimacy.

The period immediately following the U.S. invasion was characterized by wide challenges related to institution building, infrastructure repair, and the provision of health services, education, and other social needs. Larry Diamond summarizes the dramatic difficulties:

The state as an institution had to be restructured and revived. Basic services had to be restored, infrastructure repaired, and jobs created. Fighting between disparate ethnic, regional, and religious groups – many of them with well-armed militias – had to be prevented or preempted. The political culture of fear, distrust, brutal dominance, and blind submission had to be transformed. Political parties and civil society organizations working to represent citizen interests, rebuild communities, and educate for democracy had to be assisted, trained, and
protected. A plan needed to be developed to produce a broadly representative and legitimate new government, and to write a new constitution for the future political order. And sooner or later, democratic elections would need to be held.\textsuperscript{131}

The United States did not adequately plan for such hardships, and its mishandling contributed to a decade of sectarian and other conflict that continue to challenge Iraq’s democratic transition. The lack of preparation by the U.S. also created Iraqi resentment toward attempts to promote stability and democracy.

First, and perhaps most importantly, the architects of the U.S. invasion did not fully grasp the challenges that lay ahead concerning Iraq’s sectarian divisions. Thabbit Abdullah argues, for example, that “hardly anyone understood the culture, history, or socio-political complexity of the country.”\textsuperscript{132} As shown in the previous section, divisions along sectarian and tribal lines were still prevalent in the early 21\textsuperscript{st} century, a situation worsened by economic and social hardship, and in particular, decades of totalitarian rule. More specifically, U.S. policymakers did not adequately consider how the loss of power on the part of Sunnis would lead to resistance to both American efforts and the democratic project in general. This miscalculation led to conflict and instability, especially on the part of Sunnis who were increasingly worried about their interests under a Shia-led government.

Numerous scholars have also drawn attention to the shortened time frame within which many decisions regarding the invasion were made. While the Pentagon began formally planning the attack on Iraq in November 2001, few calculations extended beyond the initial invasion and taking of Baghdad. According to Thomas E. Ricks, once

the Bush administration realized many of its initial calculations were mistaken, it “hurried its diplomacy, short-circuited its war planning, and assembled an agonizingly incompetent occupation.”\textsuperscript{133} The haste with which many determinations were made was again symptomatic of an inadequate awareness of Iraqi society and the challenges that would likely arise. Furthermore, the administration largely failed to consult with those most knowledgeable of the region or critics within or outside of the planning councils who offered views contrary to its own.

The United States also incorrectly assumed that Iraq’s oil wealth would be sufficient to fund the reconstruction of the country. Paul Wolfowitz, a leading architect of the invasion, in particular believed Iraq’s oil wealth would pay for most of its postwar rebuilding, estimating that soon after Saddam’s removal the state would generate $15-20 billion per year in exports.\textsuperscript{134} In making such predictions, the U.S. revealed it underestimated the damage done to Iraq’s infrastructure and economic system after decades of state mismanagement and international sanctions. The Iraqi economy had for years been based largely on ties to Saddam and the central government, providing individuals and businesses limited experience with the market or international economy.

Iraq’s sectarian divisions and potential problems were compounded by the threats the invasion posed to the middle class that crossed and linked communities, a point made by Abdullah. He notes that the Iraqi middle class has “historically been most supportive of a secular Iraqi nationalist outlook,” and thus an identity beyond simple sectarian

\textsuperscript{134} Ricks, \textit{Fiasco}, 98.
The middle class’s struggles began with the economic downturn of the 1980s and worsened under sanctions. The tumult of the post-2003 period further damaged their standing and led many to flee the country, removing a major source of stability and potential assistance in the state’s reconstruction.

In terms of military action, the troop levels placed in Iraq were not sufficient to secure order after the fall of Saddam’s regime. Policymakers and members of the military assumed the conflict would be short, with no need for a long-term commitment of troops or resources. Ricks draws particular attention to this deficit, noting: “The irony is that in eighteen months of planning, the key question was left substantially unaddressed: what to do after getting Baghdad.” Many within the administration believed that after the invasion most of Iraq’s political institutions would remain in place, with the only change being to those in positions of power. As such, few plans were made in terms of how to provide security and services in absence of a functioning and cooperative Iraqi government.

Ricks analyzes the failures of the American occupation of Iraq by pointing to three false assumptions on which the plan was based. First, planners believed large numbers of Iraqi security forces were willing and able to support the occupation. Though a few exiled Iraqis gave advice to the U.S. in the lead up to the invasion, there was no indication that others would similarly cooperate. Second, the Bush administration assumed the international community would assist where their efforts were insufficient.

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135 Abdullah, A Short History, 161.
137 Ricks, Fiasco, 78.
According to Ricks, however, “it is not clear what this assumption was based on, given the widespread and building opposition to the U.S. led invasion.” Finally, as mentioned earlier, most post-invasion plans were founded on a belief that a new Iraqi government would assemble and take over shortly after Saddam’s removal. U.S. policymakers did not appreciate that the Iraqi government prior to the invasion consisted mainly of patronage linkages based on one’s relation to Saddam and his favored tribes, with few modern bureaucratic structures to sustain the state.

For example, American forces were stationed in urban areas with no understanding of their duties or with who they needed to work. One consequence of this planning failure was the spread of looting in the major cities following the invasion, an unexpected scenario for which U.S. troops were unprepared. According to Kenneth M. Pollack, “The result was an outbreak of lawlessness throughout the country that resulted in massive physical destruction coupled with a stunning psychological blow to Iraqi confidence in the United States, from neither of which has the country recovered.” The U.S. mismanagement of this crisis signaled the security and political problems to come, all seemingly stemming from a lack of understanding on the part of the Americans and the consequent growing distrust of the project by the Iraqis.

More generally, there was little communication between Iraq and the U.S. in terms of the latter’s goals and approaches and the former’s needs and concerns. Anthony H. Cordesman argues that the post-invasion plan for the government, police, and military:

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138 Ricks, Fiasco, 110.
needed to be proclaimed before, during, and immediately after the initial invasion to win the support of Iraqi officials and officers who were not linked to active support of Saddam Hussein and past abuses, and to preserving the core of governance that could lead to the rapid creation of both a legitimate government and security.\textsuperscript{140}

This included conveying to the Shia that they would gain power following elections, to the Sunni that they would be included in the statebuilding project and protected from persecution, and to the Kurds that their cooperation was vital in Saddam’s absence.\textsuperscript{141}

Such plans would not have satisfied all concerned parties, but might have reduced some uncertainty. It is possible, of course, that the U.S. itself was unsure how such political development would proceed, reducing its ability to communicate such information to Iraqi citizens.

The lack of participation by the United Nations and other international organizations in much of the planning and post-invasion reconstruction was also a contributing factor to the period’s security and political problems. According to Pollack:

The United Nations, through its various agencies, can call upon a vast network of personnel and resources vital to various aspects of nation-building. One of the greatest problems the United States faced was that it simply did not have enough people who knew how to do all of the things necessary to rebuild the political and economic systems of a shattered nation.\textsuperscript{142}

The United Nations was experienced with post-conflict political reconstruction and peacebuilding through its work in Bosnia, Kosovo, Cambodia, and elsewhere, but became frustrated by continued U.S. unilateralism in many of its decisions. In most cases

\textsuperscript{140} Cordesman, “The Broader Crisis,” 6.
\textsuperscript{142} Pollack, “The Seven Deadly Sins,” 6.
the United States did not have the right people with adequate knowledge of how to
reconstruct Iraq both politically and economically while addressing its unique challenges.

Perhaps the most dramatic action with the most long-standing consequences was
the U.S. decision to undertake a de-Baathification campaign as part of Coalition
Provisional Authority Order No. 1 on May 16, 2003. This order proclaimed that no
member of the top four ranks of the Baath party could be a part of the new government,
putting 20-40,000 people out of work. F. Gregory Gause III notes:

Everyone agreed that it [the Order] would strip the new Iraqi government of the
experienced cadre of managers who had made the old one work. They just
disagreed on whether that was a good thing or not.\textsuperscript{143}

For the American policymakers, de-Baathification was an important indication that
Saddam’s regime was gone and a new era in Iraqi political life had begun. Conversely,
de-Baathification removed the few people who had experience administering a state,
many of who were Baathist’ party members only for employment purposes. De-
Baathification also strengthened many Iraqis’ feelings of uncertainty over their place in
the American-led transition.

Another contentious decision was the disbandment of the Iraqi military and
security services. It is true that many soldiers simply left, and it is unclear whether the
army would have been a major source of stability during the transition had it remained in
place.\textsuperscript{144} However, the Army, unlike forces loyal only to Saddam, was a national
institution that included members of all communities and thus might have provided some
constancy and reassurance to Iraqis concerned by the U.S. project. At a minimum, an

\textsuperscript{143} F. Gregory Gause III, \textit{The International Relations of the Persian Gulf} (New York: Cambridge
University Press, 2010), 157.
\textsuperscript{144} Pollack, “The Seven Deadly Sins,” 7.
attempt should have been made to negotiate with the Iraqi forces in hopes of including them in the rebuilding efforts.\textsuperscript{145} Rather, the United States’ actions exemplified:

the failure to entice, cajole, or even coerce Iraqi soldiers back to their own barracks or other facilities where they could be fed, clothed, watched, retrained, and prevented from joining the insurgency, organized crime, or the militias.\textsuperscript{146}

There was no attempt to train the former soldiers for employment and reintegration into Iraqi society, frustrating them and increasing their distrust of the United States’ motives and actions.

Both of these decisions imposed major changes on Iraqis already unsure of the future and their position in the new state system. Though they might have supported Saddam’s removal, many were worried by such drastic developments. Abdullah summarizes:

…it is not too far-fetched to assume that the various security forces under Saddam numbered in the region of 100,000 highly trained, well-connected individuals with access to money and arms. As the allies swept through the country in 2003, these Saddam-loyalists went underground and waited to see what the new order held for them. [L. Paul] Bremer’s decision to abolish the army and the Baath party settled the matter.\textsuperscript{147}

Many went on to join the insurgency or other rebel forces, seeking to prevent other U.S.-led changes that were seemingly being taken at the expense of average Iraqis.

Bremer, director of the Office for Reconstruction and Humanitarian Assistance and later the Coalition Provisional Authority, also set out on a process of economic liberalization, believing the free market best suited to provide the economic development Iraq so desperately needed. He started by eliminating unsuccessful state-run industries,

\textsuperscript{145} Henrickson and Tucker, “Revisions in Need,” 19.
\textsuperscript{146} Pollack, “The Seven Deadly Sins,” 8.
\textsuperscript{147} Abdullah, \textit{A Short History}, 165.
intending to reduce state control of the economy and to allow markets to function. However, “this had the political effect of further alienating the middle class, which already had been hit by de-Baathification, and which was full of managers from those inefficient industries.” 148 Other decisions had similar outcomes, with the ending of agricultural subsidies, for example, as an especially harsh blow to struggling rural Iraqis. According to Eric Davis, these decisions suggested a lack of understanding on the part of the Bush administration of how traditional Iraqis viewed the state and its obligations to its citizens, and amounted to “shock therapy” to an already damaged society. 149

As it became increasingly clear that an Iraqi democracy would not easily emerge, the United States began work to establish basic political institutions. American officials had wanted to cede control to the Iraqis as soon as possible, but it was apparent democratic elections would not likely promote the U.S. interests of creating a stable and supportive government. Consequently, in May 2003 the U.S. created the Coalitional Provisional Authority (CPA) in hopes of restoring some political and economic order. The CPA instituted a number of needed reforms and steps towards democracy, including freedom of speech, association, and the press, and allowed room for the growth of non-governmental organizations such as charities. 150 Unfortunately, the political and military divisions were largely American-led and thus viewed unfavorably and with suspicion by the Iraqis, some of who increasingly considered the U.S. presence an occupation. 151

148 Ricks, Fiasco, 165.
150 Abdullah, A Short History, 164.
The CPA also effectively introduced a political system based on Iraq’s sectarian divisions rather than a more unified Iraqi identity, an outcome that many analysts believe has characterized Iraqi institutions since. According to Abdullah:

…the CPA’s simplistic understanding of Iraqi society as being essentially divided into three antagonistic communities left its imprints on the reforms and tended to deepen, rather than dampen, the rising ethno-sectarian mood.\textsuperscript{152}

While its designers sought to ensure all Iraq’s communities were represented, the formation of the CPA along ethnic and sectarian lines reinforced the divisions rather than ameliorating them. The CPA also suffered from disorganization and incompetence, making it a difficult partner for both the Iraqis and the American military leaders with whom it was supposed to be allied.\textsuperscript{153}

Increased pressure for a transfer of power to an Iraqi interim government led the United States to appoint a 25-member Iraqi Governing Council (IGC) in July 2003. Despite this development, “…Bremer made it clear that he would continue to exercise supreme power.”\textsuperscript{154} Though the Americans sought to exercise power over the important decisions the nascent Iraqi government was likely to make, it is possible their micromanagement of the process actually preempted necessary political progress. Diamond writes:

…the political and economic reconstruction of Iraq probably would have proceeded much more rapidly and successfully – with far less violence – if the United States had accepted UN appeals to transfer power early on to a broad-based Iraqi interim government chosen through a process of inclusive participation and transparent consultation.\textsuperscript{155}

\textsuperscript{152} Abdullah, A Short History, 164.
\textsuperscript{153} Ricks, Fiasco, 209.
It is debatable whether the Iraqis were ready to govern so soon after authoritarian rule, but U.S. control did not adequately involve the population in their new political system and furthered perceptions that the project was an occupation.

Unsurprisingly, then, the IGC was mostly ineffective and distrusted. According to Diamond:

The IGC was never able to agree on a formula for political transition, partly because of its own deep internal divisions along philosophical, ethnic, and sectarian lines; and partly because its members resented not having real power.\textsuperscript{156}

Again, the creation of the IGC was based on a top-down approach that did not allow the time necessary for government and political processes to build naturally and with sufficient Iraqi participation. Pollack argues that this was to some extent due to an American desire to put the Iraqis in charge and thus responsible for the inevitable political and economic challenges.\textsuperscript{157} More generally, the formation of the IGC on sectarian lines signaled to Shia parties such as Daawa and the Supreme Council for the Islamic Revolution in Iraq that their partisan foundations were acceptable and perhaps even expected.\textsuperscript{158}

Many of the IGC’s problems were due to the lack of capable leaders truly representative of the Iraqi people. This was partly a symptom of Saddam’s desire to either coopt or eliminate any non-Baathist individuals who were effective and endangered his grasp on power. Additionally, as Pollack writes:

\textsuperscript{156} Diamond, “Lessons from Iraq,” 11.
\textsuperscript{157} Pollack, “The Seven Deadly Sins,” 10.
\textsuperscript{158} Davis, “Rebuilding.”
…because Washington had not allowed enough time – let alone created the circumstances – for genuinely popular figures to emerge, the CPA simply appointed twenty-five Iraqi leaders well-known to them.\textsuperscript{159}

A few were recognized and respected in their communities, but some were completely unfamiliar, and others largely disliked or even leaders of militias. This gap in leadership did nothing to reassure the Iraqi people that their interests would be represented and lobbied for in the new government.

IGC’s weaknesses also negatively affected subsequent Iraqi governments, particularly in the spread of corruption and cronyism among new politicians. Many IGC members used the new resources available to them to build up their own power and security services at the expense of building a more effective, unitary state.\textsuperscript{160} Furthermore, and perhaps most damaging, “they used the instruments of government to exclude their political rivals from gaining any economic, military, or political power,”\textsuperscript{161} strengthening the perception among Sunnis and others that the American-produced democratic system would be Shia-dominated and dangerous to their interests. In many Iraqis’ view, the new democracy was neither representative nor equitable, and to some, it was threatening.

More specifically, the IGC included only one Sunni tribal leader, and his standing within his community was questionable. The make-up and actions of the IGC, combined with the process of de-Baathification, made it clear to Sunnis, and particularly those close to Saddam, that their years in power had ended and the prospects of future political dominance were bleak. As Pollack writes:

\textsuperscript{159} Pollack, “The Seven Deadly Sins,” 10.
\textsuperscript{160} Pollack, “The Seven Deadly Sins,” 10.
\textsuperscript{161} Pollack, “The Seven Deadly Sins,” 20.
All of these strategies had been previously employed by the Sunnis themselves under Saddam; thus, the Sunnis became convinced that in the new Iraq they would be oppressed just as they had once oppressed the Shia and the Kurds.  

A lack of hope for the future and distrust in the Shia and Kurds under the guidance of the Americans led many Sunnis to resist other political progress or to join the growing insurgency.

A plan for transition was subsequently created by the United States and more or less imposed on the IGC. The plan, which came to be known as the November 15 Agreement, set the end of the political occupation at June 30, 2004. More specifically, the IGC was to draft and adopt a “Transitional Administrative Law” by February 28th to establish and structure power until a democratic government was elected under a permanent constitution. Though advances towards a more representative and autonomous government were needed, many viewed the timing considerations as based more on the Bush administration’s desire to show progress during the 2004 American presidential campaign than on the best interests of Iraq’s democracy.

The November 15 Agreement originally specified that a 15-member Organizing Committee representing all of Iraq’s 18 provinces would select members to a caucus. The caucus would then elect members to a Transitional National Assembly, after which a prime minister, cabinet, and three-member presidential council would be appointed. This system allowed significant, though indirect, control of the government by the U.S. and its Iraqi allies. However, Grand Ayatollah Ali al-Sistani, the most revered figure in Shia Islam and spiritual leader of the Iraqi Shia community, issued a fatwa in opposition to the

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162 Pollack, “The Seven Deadly Sins,” 11-12.
164 Davis, “Rebuilding.”
plan. He argued that the constituent assembly had to be elected rather than appointed; as is, the plan was “undemocratic and a plot to prevent the Shia from realizing their rightful place in Iraqi society.” The U.S. reluctantly agreed to Sistani’s demands, recognizing his weight in the Shia community.

The decision was made to implement a proportional representation electoral system with a single nationwide district. This determination was based on a number of factors, including the simplicity with which it could be implemented and an avoidance of the question of districts and vote apportionment because of lack of census data. As part of this system, voters were to choose political entities, whether parties, coalitions of parties, or individuals. Though many criticized the complexity of the November 15 Agreement, its creators and supporters argued that the many stipulations were necessary to achieve a representative body filled by popular Iraqis rather than exiles or militia leaders.

The question of the timing of Iraq’s first elections was also up for debate. There was disagreement over whether postponing elections would allow more time for the building of civil society and informal democratic institutions or rather, would further delegitimize the present, unelected government. According to Diamond:

Ill-timed and ill-prepared elections do not produce democracy, or even political stability, after conflict. Instead, they may only enhance the power of actors who

166 Pollack, “The Seven Deadly Sins,” 11.
mobilize coercion, fear, and prejudice, thereby reviving autocracy and even precipitating large-scale violent strife.\textsuperscript{170}

Conversely, delaying elections might further marginalize and perhaps radicalize those who perceive themselves excluded from the government and thus the power to make important decisions.

In the Iraqi case, elections were increasingly demanded as the means to transfer power away from the U.S. and towards elected representatives. However, it can be argued that insufficient time was allowed to prepare the Iraqi people for the processes of electoral government and that the contests institutionalized many of the CPA and IGC’s problems. The November 15 Agreement seemed to establish important political development, but the quickness with which it was produced lessened its appeal to the Iraqi people. Accordingly, “it was never vetted with a broad cross-section of Iraqi society, and thus there was no sense among Iraqis of ownership of the new transition plan.”\textsuperscript{171} These feelings did little to assuage Iraqi fears of an American occupation and Sunni expectations of a system that would be dominated by Shia and Kurdish interests.

Iraq experienced increased sectarian violence in the lead up to elections, causing many to question if the political contest would in fact stabilize the country and put it on the path towards independent democracy. By 2005, for example, there was an average of 70 attacks per day.\textsuperscript{172} Most of the violence was on the part of local Sunni groups opposed to the presence of the United States. Some Sunnis also joined al-Qaeda and fighters from other countries who sought to capitalize on Iraqi instability and use the state as a base for

\textsuperscript{170} Diamond, “Lessons from Iraq,” 18.
\textsuperscript{171} Diamond, “Lessons from Iraq,” 12.
\textsuperscript{172} Abdullah, \textit{A Short History}, 165.
its operations. Conflict attributable to anti-American sentiment increased among the Shia community as well, especially among followers of the highly influential Shia cleric Muqtada al-Sadr.

Though violence was generally portrayed as inter sectarian, Iraq’s communities are not monolithic and fighting among communities was often accompanied by fighting within them. Furthermore, despite the tendency of the United States to treat most Sunnis as former Baathists and supporters of Saddam, many were glad to see him go yet disappointed by the U.S. treatment of the Sunni population. Roel Meijer writes:

For although they had depended on the Baathist state to defend their interests, many Sunnis also suffered under Saddam Hussein’s brutal dictatorship and feel deeply humiliated and dishonored by the collective punishment the United States has meted out to their community.

In many cases, conflict came about as a result of uncertainty, a situation worsened by the inability of imperfect institutions and inadequate security to establish law and order and reassurance for Iraq’s Sunnis.

There was excitement among large segments of the Iraqi population about the upcoming elections despite these security challenges. Many of the newly formed political parties participated in training and information programs designed to assist in the transition and to encourage wide participation. However:

…the continuing terrorist and insurgent violence obstructed economic reconstruction, eroded Iraqi confidence in the appointed Interim Government, and raised serious doubts about the country’s capacity to stage elections by the

173 Gause, The International Relations, 164.
174 Abdullah, A Short History, 165.
January 31 deadline that would be sufficiently inclusive, transparent, fair, and free of violence and intimidation to be considered ‘reasonably credible.’

While the Shia and Kurdish communities were especially enthusiastic about the contests, violence and urgent social and economic demands detracted from what was to be a monumental moment in Iraq history. The prospects of creating a democracy in the midst of pressing challenges and Sunni opposition were for many questionable.

Even so, elections to the 275-seat Transitional National Assembly took place on January 30, 2005, along with elections to provincial assemblies in each of Iraq’s 18 provinces and a regional assembly in Kurdistan. Over 7,000 candidates organized into multi-party coalitions, single parties, and individuals competed for seats in the National Assembly, and around 9,000 candidates in party slates looked to fill the provincial and Kurdistan seats. According to the system of closed list proportional representation, any slate that secured at least 31,000 votes, or around 1/275 of the vote, received a seat. As intended, the elected Assembly appointed the presidency council composed of a president and two deputies, a prime minister, and a cabinet.

These elections witnessed a 58 percent participation rate among registered voters, with the 275-seat Transitional National Assembly split largely among three blocs. The largest bloc was the United Iraqi Alliance, formed by mostly Shia parties including the Supreme Council for Islamic Revolution in Iraq, later known as the Islamic Supreme Council of Iraq, and the Da’wah party. The UIA slate included 15 supporters of Muqtada al-Sadr despite his criticism of the U.S. initiated process, and eight of them won

178 Dawisha and Diamond, “Iraq’s Year,” 93-94.
The Kurdistan Alliance, a coalition of the two major Kurdish parties, came in second, followed by the Iraqi List, a secular group led by interim prime minister Iyad Allawi.

The January 2005 election to the Transitional National Assembly was consequently characterized by voting along ethnic lines and support for parties organized by sect. In effect, the legislature was constituted much like the CPA and IGC. According to some observers, the political lines established by the CPA and IGC were furthered by the national nature of the elections and absence of district divisions. The elections then “became almost purely a national-identity referendum, untempered by any local component or flavor.” While the system avoided many of the complications associated with the drawing of districts, it also served to incentivize support for the most widely-known candidates. The elites who were best at mobilizing voters generally did so through appeals to sect or ethnicity.

Although the election winners were almost exclusively Shia or Kurd, the post-election political process was not without struggle among competing parties and interests. The United Iraqi Alliance and the Kurdistan Alliance aligned shortly after the elections. It took two months, however, for the different factions within the UIA to agree to a government and then another month for them to gain parliamentary approval. During this time the Constituent Assembly elected Jalal Talabani as president, promoting him to a position in the Iraq government never before filled by a Kurd. Da’wa leader Ibrahim

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179 Katzman, “Iraq,” 2.
180 Dawisha and Diamond, “Iraq’s Year,” 94.
181 Dawisha and Diamond, “Iraq’s Year,” 93.
182 Gause, The International Relations, 162.
al-Jafari was elected Prime Minister, and Adel Abd al-Mahdi of SCIRI became second deputy president.\(^{183}\) Despite continued infighting, the Shia and Kurds political groups were in a position to greatly affect the content of the new constitution.

The Sunnis realized soon after the April 2005 formation of the transitional government that their decision to boycott the elections prevented any chance of lobbying for their interests during the constitution-writing process and thus threatened their position in the new democracy. Consequently, they demanded to be included in the constitution-drafting committee. With the help of the Americans, who realized Sunni participation was vital to the security and stability of the government, the 55-member drafting committee added 15 voting and 10 nonvoting Sunni delegates.\(^{184}\) Though this movement was far from Sunni acceptance of the American-led and Shia-dominated democratic process, it indicated that there was some recognition on the part of Sunni leaders that the rules-based system offered potential rewards for participation.

Constitutional deliberations soon took center stage. Despite their inclusion, the Sunnis remained apprehensive of what they saw as an overtly federal document. In their view, such a constitution might lead to the formation of a Kurdish northern region and Shia southern region, both with the majority of Iraq’s natural resources.\(^{185}\) While the Shia and Kurds were satisfied with the institutionalization of a weak and thus less threatening central government, “most Sunni Arab political leaders condemned the document, contending that its provisions for a federal system with strong provincial and regional

\(^{183}\) Katzman, “Iraq,” 3.
\(^{184}\) Dawisha and Diamond, “Iraq’s Year,” 94.
\(^{185}\) Dawisha and Diamond, “Iraq’s War,” 94.
governments would lead to Iraq’s disintegration.”

The issue of federalism also led to conflict among Shia parties, as each sought to gain control over what they saw as the inevitable formation of an independent and oil-rich Shia region.

While maintaining the largely federal nature of the constitution, the Shia and Kurdish members reluctantly agreed to the addition of an article that called for a new debate over constitutional amendments after the general elections. This fulfilled a major demand of the Iraqi Islamic Party, the largest Sunni bloc, and as a result it requested its followers vote for constitutional approval. Even so, the constitution faced stiff Sunni opposition, with three Sunni provinces casting negative votes. One of these Sunni provinces registered 55 percent negative votes rather than the two-thirds required, however, and the approval of Shia and Kurdish provinces ensured the constitution was approved.

The Transitional National Assembly decided to adopt a two-tiered proportional representation system, one similar to that recommended by Iraqi and international advisors, for the December 2005 National Assembly election. 230 of 275 seats were allocated to the provinces as multimember districts, and the remaining 45 were filled from national lists, a system that ensured proportionality. This procedure, along with the decision by the Sunni leadership to participate, ensured that the community would be represented in the National Assembly. Around 7,500 candidates participated in the

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186 Gause, *The International Relations*, 162.
187 Davis, “Rebuilding.”
188 Dawisha and Diamond, “Iraq’s Year,” 94-95.
189 Dawisha and Diamond, “Iraq’s Year,” 95.
elections, organized into coalitions of political parties, separate political parties, and individuals.  

12 million Iraqis, or 77 percent of the voting population, took part in the December elections. Five coalitions dominated the contests and were rewarded with the majority of seats in the Assembly. These coalitions were the UIA, including a group of al-Sadr’s followers, the Kurdistan Alliance, the Iraqi National List, and two Sunni alliances, the Iraqi Accord Front and the Iraqi Front for National Dialogue. Though the legislature was sufficiently representative of the major sectarian and ethnic groupings within Iraq, the absence of parties that cut across identity lines or emphasized the larger Iraqi national identity indicated a continuance of the politics first evident in the creation of the IGC. The election confirmed ethnonational identity as the major determinant of political identity, and made it difficult for secular parties based on Iraqi unity to compete. The victory of political parties organized largely on the basis of identity was unchallenged even with the change in electoral system. As Adeed Dawisha and Diamond write, “…when the underlying pressures and constraints are powerful and entrenched, a change in the electoral system may in the near term do little to transcend them.” Most parties in place for the 2005 elections had come to recognize that appeals to ethnicity and religious sect were both expected and instrumental for mobilizing support. Dawisha and Diamond continue:

In their entrenchment of ethnic and sectarian fissures as the main organizing principle of politics, the three votes highlighted the role and limits of electoral-

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191 Dawisha and Diamond, “Iraq’s Year,” 98.
192 Dawisha and Diamond, “Iraq’s Year,” 95.
system design in the quest to manage and contain potentially polarizing divisions.\textsuperscript{194}

Political competition among Shia, Sunnis, and Kurds was of course to some extent a product of the communal tensions already evident at Iraq’s creation and intensified under Saddam. The transition and early democratic institutions, however, had done little to this point to ameliorate such sectarian conflict.

The elections and formation of the National Assembly were not accompanied by any resolution of conflict. Violence increased greatly over this period, and by late 2006, the UN reported that nearly 3,000 people were killed every month in sectarian clashes.\textsuperscript{195} From March 2006 to March 2007, civilian deaths numbered 26,540 by conservative estimates, making it the most violent twelve month period since 2003.\textsuperscript{196} While the violence in 2004 was largely on the part of Sunni insurgents wishing to force out the United States and in protest of their loss of power, the increase in conflict in 2006 was due to the rise of Shia militias in defense of the continued Sunni threats.\textsuperscript{197}

The violence was arguably attributable to more than simple sectarian divisions and jealousies. Penny Green and Tony Ward, for example, argue that the removal of Saddam and his repressive and authoritarian state apparatus provided increased opportunity for criminals to act. While much violence was politically motivated, it is just as likely that some acts labeled political or sectarian were actually on the part of Iraqis

\textsuperscript{194} Dawisha and Diamond, “Iraq’s Year,” 89, 
\textsuperscript{195} Abdullah, \textit{A Brief History}, 171. 
\textsuperscript{196} Gause, \textit{The International Relations}, 165. 
criminals seeking to take advantage of a less secure situation.\textsuperscript{198} Paul R. Williams and Tony Ward similarly argue that the absence of institutionalized security forces and inability of the national government to control the situation led to increased divisions in Iraqi society, “as Iraqis starving for protection turn[ed] to the only organizations that appear to offer it: groups organized along ethno-sectarian lines.”\textsuperscript{199} The formation of politics according to ethnic and sectarian identity was furthered by a security situation that encouraged adherence to one’s most closely related groups.

Though important developments had taken place, including democratic elections as touted by the Bush administration and other international observers, the increased violence threatened political gains and made the few compromises accomplished between sectarian groups tenuous. President Bush reasoned that increased security in Baghdad, the center of the violence, was necessary for continued democratic progress. Consequently, he ordered more than 20,000 additional American troops to Iraq in 2007, a decision known as “the surge.” Military officials advised that increased troop levels would allow American and Iraqi forces to secure gains made in neighborhoods once insurgents had been removed.\textsuperscript{200} Decreased violence, it was supposed, would assist in improvements in governance and the economy.

The surge was successful in reducing violence and improving security as higher troop levels were able to establish and maintain control over larger areas. As Gause

argues, however, “Equally important to the improved security situation was the revolt among many Sunni Arabs against the excesses of al-Qaeda in Iraq and its Islamic State of Iraq.” Additionally, the U.S. decided during this time to increase support of Sunni groups opposed to al-Qaeda. These “Awakening Councils,” composed of Sunni tribal elements, engaged in parliamentary campaigns against al-Qaeda and were funded by the US. It could also be argued that once diverse neighborhoods had effectively been homogenized through a process of ethnic and sectarian cleansing, limiting potential sources of conflict.

Regardless of its causes, the decrease in violence allowed important political progress as pointed to by Williams and Simpson. In February 2008, the Assembly was able to compromise across party lines to pass the Provincial Powers Law, Amnesty Law, and 2008 Budget, all of which reflected different and at times competing interests. While the Kurds emphasized the budget and its provisions for revenue distribution, the Sunnis advocated amnesty and the Shia provincial powers. The fact that the legislature was able pass all three was, in the view of Williams and Simpson, an important step forward in the democratic process. Another settlement was reached on September 24, 2008, when the Assembly ruled that provincial elections in Kirkuk would be held at a later date and under a different set of rules. Though these deliberations delayed the provincial elections

201 Gause, The International Relations, 166.
202 Abdullah, A Brief History, 172.
originally scheduled for October 1, 2008, the decision was a compromise between Kurdish and Arab political interests.204

Provincial elections were held on January 31, 2009, and voters filled 440 seats in 14 of Iraq’s 18 provinces. Unlike elections in 2005, the 2009 elections implemented an open list proportional representation system. This required Iraqis to vote for both a party and individuals within the party. Provincial councils were organized according to the percentage of votes gained by each party, with positions within the councils awarded to individuals according to their electoral performances.205 Nouri al-Maliki’s State of Law coalition increased its standing in the government, winning approximately 20 percent of the vote in southern provinces. Most of the other votes were spread across smaller parties, and ISCI lost much of the power it had in previous governments.206 Interestingly, 80 percent of the political parties that competed for seats had formed after the 2005 elections, showing both wider participation and divisions within the major parties.207

Iraqi democracy was at a crossroads in the lead up to the 2010 National Assembly elections. It had succeeded in creating a constitution that institutionalized representative processes and adherence to the rule of law, and multiple votes with high turnouts and legitimate results had established a functioning legislature, prime minister and president, and provincial councils. Additionally, increased troop levels and a greater focus on

counterinsurgency allowed important security improvements and gave the new institutions room to operate and make important future decisions.

Serious challenges remained, however. The political system was based largely on ethnic and sectarian divisions, and there was no guarantee that conflict among communities would subside as competition for political power and control over resources intensified. Though these difficulties are in many ways characteristic of a democratic transition in a divided state, Iraq faced the additional problem of democracy imposed externally. As Diamond writes:

…the coalition never realized that, although most Iraqis were deeply grateful to have been liberated from a brutal tyranny, this gratitude was mixed with deep suspicion of the real motives of the United States […]; humiliation that it was not Iraqis themselves who had overthrown Saddam; and high, indeed unrealistic, expectations for the post-war administration, which they assumed could deliver them rapidly from all their problems.\textsuperscript{208}

Mistakes made by the United States and the challenge of authenticity for a system created largely by outsiders negatively affected an already difficult transition.

The question of legitimacy was a major one going forward, both in the continued involvement of the United States and the major political and economic questions requiring compromise among competing interests and identities. There were indications, however, that Iraq’s major political actors had reluctantly agreed to participate in democracy, if only to secure goods for their own communities. None of Iraq’s ethnic or sectarian groups was attempting to break away from the state or to gain autonomy beyond the federalism offered by the constitution. Rather, conflict was mostly over control of the state in a political system that allowed for new competition and power relationships.

\textsuperscript{208} Diamond, “What Went Wrong,” 182.
Continued ethno-sectarian conflict was not inevitable, but debate over the future role of the United States and the upcoming political contests were likely to test the new government and its status for the Iraqi people.
CHAPTER FIVE: THE KURDISH ISSUE

The status of the Kurds of Iraq is an additional problem facing this country. The future of democracy in Iraq is tied to a resolution of this issue. Their sense of security and continued participation within the democratic system will further legitimize the Iraqi state, especially given their historic status as a nation spread among multiple countries with aspirations of independence. Gareth Stansfield and Liam Anderson summarize the importance of the current relationship between the central government and the Kurdish region:

Put simply, if the management of this division is successful and results in a durable set of political compromises, then Iraq will survive and may even evolve into a sustainable democracy. If, however, the divide worsens, or if there is an attempt by Baghdad to impose a ‘solution’ on Erbil – which would then be followed by a violent reaction – then the fragile political consensus that underpins Iraq’s nascent political order will unravel in short order, and the very territorial integrity of Iraq will be threatened.209

A failure to incorporate the Kurds in the Iraqi democratic system threatens the legitimacy of the government and endangers Kurdistan’s existence in Iraq, a scenario that would likely lead to tensions across the region.

As referenced in the previous chapter, the modern Iraqi government played a major role in shaping identity and thus political and social relationships. This naturally

affected the Kurds, particularly in their position as an ethnic minority in a state that rarely encouraged unifying and civic conceptions of belonging. According to Denise Natali:

it was the drive of the Iraqi elites to construct an ethnicized, secular-based nationalism within a highly centralized political system that ultimately prevented ethnic reshaping in Iraq. While opportunities for reshaping existed, the state elites failed to instill a normative sense of ‘Iraqiness’ among Kurdish communities.\textsuperscript{210}

The ramifications of this history are evident today in the Kurds’ status as an autonomous community that in many aspects wishes to remain distinct from the rest of the Iraqi state.

Despite this legacy, it is possible to argue that for now the Kurds have accepted their place within Iraq and are not acting to create an independent state. This view is bolstered by the unlikelihood that other states with Kurdish populations or the international community at large would support the creation of an independent territory based on Kurdish nationalism. According to Michael M. Gunter, Kurds in Iraq adopted the slogan “Democracy for Iraq, autonomy for Kurdistan,”\textsuperscript{211} during the 20\textsuperscript{th} century in response to this realization. Still, the place of the Kurds within the newly democratic Iraq remains an important question and one that will affect the stability of the state and the functioning of its political system for years to come.

The majority of Kurds are Sunni Muslims, although the community also comprises a number of Shia, Christian, and other sects. They share a common history, language, and culture, and have historically considered Kurdistan their homeland. Such

facts have led to “their being both self- and other-defined as a nation.” As an ideology, Kurdish nationalism developed in the mid to late 19th century under the influence of rising Arab and Turkish nationalism among each respective community’s intellectuals. According to Hashem Ahmadzadeh, it is unlikely the term “Kurd” was used by members of the group before this period; “rather, it seems likely that it was an ‘outsider’s term’ used by Arabs and Persians, with indigenous names being of tribal or geographic origin.”

Despite the spread of nationalist ideas, Kurds were unable to attain their goal of an independent homeland after the end of the Ottoman Empire. In the new nation-state system that emerged after World War I, the Kurdish population was spread over multiple states. Ahmadzadeh argues that this failure can largely be attributed to the fact that “Kurdistan and the Kurds were divided by European imperial actions, and then targeted by the dominant nations in the countries they eventually found themselves in.” The Kurds’ division among five states, including Iraq, “burdened the Kurds with a structural weakness when it came to promoting an ethnic (i.e. pan-) Kurdistani agenda.” As a consequence, the Kurds have sought integration and protection within the states they reside while retaining the identity that bonds their community across state boundaries.

Today Iraqi Kurds number 3.4 million and form 20 to 23% of the population. They live primarily in northern Iraq, bordered by Iran to the east, Turkey to the north, and

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212 Gunter, “The Kurdish Minority,” 263.
214 Ahmadzadeh, “Kurdish or Kurdistanis,” 129.
215 Ahmadzadeh, “Kurdish or Kurdistanis,” 134.
Syria to the west. Politically, the Kurds are largely divided into two factions: the Kurdish Democratic Party led by Massoud Barzani, whose father founded the party in 1946, and the Patriotic Union of Kurdistan, created in 1975 under Jalal Talabani. According to Gunter, “Divided by philosophy, dialect, geography, and ultimately ambition, Barzani’s KDP and Talabani’s PUK have alternated between cooperation and bloody conflict.”

Despite many shared goals, the two groups have often disagreed, a reality that is becoming more evident as they gain and compete for power in the Iraqi democracy.

The history of the Iraqi Kurds is characterized by the government’s halfhearted attempts at integration and a struggle by the center to control the Kurdish periphery. Under British management, the provisional constitution of 1921 attempted to formalize equality of all Iraq’s constituent groups. This was accomplished through statements acknowledging Arab and Kurdish ethnicity within the Iraqi state and equality between the Kurdish and Arabic languages. In reality, however, the British generally favored landowning Arabs, and “the large cultural and political opportunities promised to Kurds were limited in time and unevenly implemented, which heightened the ethnic and socio-economic dichotomies in Iraqi and Kurdish society.”

Some Kurdish landowners benefited, but the peasant majority was largely ignored.

Throughout the 1920s, the Kurds struggled against the prospect of being controlled by an Arab government. As Denise Natali writes, “Kurds not only lost their own bid for statehood, but were placed in a new context where their former Muslim

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counterparts were now their overlords.” The British responded to such sentiments by attempting to satisfy the most powerful Kurdish groups, particularly the tribal and landowning classes. This complemented their strategy of ensuring cooperation with Iraq’s other groups, and resulted in pledges of allegiance to the government among some Kurds. The majority, however, remained uninvolved with the state-building project and were dissatisfied with their diminished role relative to Iraq’s Arabs.

In the lead up to Iraqi independence, the Kurds became increasingly wary of growing Arab nationalism and Great Britain’s response to it. For example, the Anglo-Iraqi Treaty of 1930 signed by Great Britain and the mandate government in Iraq did not acknowledge the Kurds or the rights of Iraq’s minorities. There was a growing gap between the educational and economic opportunities of Arabs and Kurds, and governmental power was increasingly tilted in the Arab’s favor. As Natali notes, from 1920 to 1936 only four out of 57 cabinet ministers were Kurds. Consequently, the Kurds had little say in the state’s future and their place in it, leading them to depend on their own communal leaders and institutions for stability and support.

Iraq became an independent state in 1932 and was accepted into the League of Nations with the requirement that it accept “international obligations to protect the civil and political rights of the Kurds and their rights as a minority group.” This pronouncement as well as subsequent legislation involving language rights and other provisions lead some to argue that “in strictly legal terms, Kurds have enjoyed more

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220 Natali, “Manufacturing Identity,” 263.
national rights in Iraq than in any other host country.”\textsuperscript{222} Similarly, according to Reidar Visser, “Iraq was the first state with a significant Kurdish population to address the Kurdish issue in a comparatively non-paranoid fashion.”\textsuperscript{223} From Iraq’s creation, then, there was at the least an acknowledgement by the British and Iraqi elite that the Kurds formed an important part of the new state and that their demands required attention.

The reality of the Kurds’ integration into Iraq is questionable, however, as the government did not accompany proclamations of equality and inclusivity with concrete steps toward these goals. For example, following independence, King Faisal did not uphold the protections promised by Great Britain, and “key legislation…was implemented half-heartedly or not at all.”\textsuperscript{224} Carole A. O’Leary goes so far as to assert, “Since the creation of the modern state of Iraq, the history of Iraqi Kurdistan has been one of underdevelopment, political and cultural repression, destruction, ethnic cleansing, and genocide.”\textsuperscript{225} As the central state gained power, it became obvious to many Kurds that to gain influence or a measure of autonomy for their community required a commitment to the vision of Baghdad and thus of the Sunni Arab elites who dominated the state.

Subsequent regimes showed some promise of better relations between the center and the Kurds. Under Bakr Sidqi, from 1936 to 1937, there was greater recognition of both the Kurds and Shia and their contribution to the Iraqi heritage. Abd al-Karim

\textsuperscript{224} Yildiz, \textit{The Kurds in Iraq}, 14.
Qassem, prime minister from 1958 to 1963, continued this trend and included both groups in his government, establishing a provisional constitution that professed Iraq’s Arab and Kurd nations. As a result, “major political dividing lines were reorganized on ideological principles transcending communal boundaries.”

Kurds enjoyed greater educational opportunities, government participation, and cultural recognition during this time.

The rise of Arab nationalism proved a powerful force, one that Iraq’s leaders could not ignore and negatively affected their dealings with the Kurdish community. As Natali writes, “Under Arab nationalist influences Kurdish-state relations spiralled downward.”

Qassem, for example, divided Kurdish organizations, including the KDP, and arrested leading Kurdish nationalists. The Kurds lost much of their political power as a result of the growth of pan-Arabism. During the monarchy, Kurds formed 15% of the higher ranks of the administration and 25% of the lower ranks. By the 1960s, the rise of Arab nationalism, Kurds held only 2% of the positions in the higher tiers and 13% in the lower. Sunni Arabs became dominant in the army and government positions while both Kurds and Shia were increasingly marginalized.

The 1958 revolution was met with new hopes for Kurdish integration and genuine cooperation between the Kurds and Arabs. Kurdish leaders, including Barzani, were freed, and Khalid Naqshabandi, a Kurd, was included in the three-man sovereignty council. The rise of the Baath Party led to hopes of an accommodating central government that would allow for some measure of Kurdish autonomy. Both hopes proved

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futile. After the revolution, the Arab nationalist Free Officers strengthened their hold over the Kurds. Later, talks with the Baath government on possible autonomy went sour over the Kurdish desire to include Kirkuk and Mosul. The Baathists militarized their oppression of the Kurds and began a process of Arabization by which they denied a distinct Kurdish identity and encouraged Arabs to move to the north of the country.229

Saddam’s rise to power allowed some openings for Kurds and Shias who were especially loyal to the Baathist regime. During the early Baath years, the government offered the Kurds an agreement known as the March Manifesto in an attempt to “consolidate [its]…grip on civil, political, and military power within the nation.”230 In the Manifesto’s final form, negotiated between Saddam Hussein and Mahmud Uthman on behalf of the KDP in 1970, many of the Kurds’ demands were met. It guaranteed Kurdish participation in the government as well as senior positions, ensured that one of Iraq’s vice presidents would be Kurdish and that all officials in Kurdistan would be Kurd or speak Kurdish, and designated funds to develop Kurdistan.231

In 1974, Saddam Hussein offered the Law for Autonomy in the Area of Kurdistan to Barzani in another attempt at cooperation between the two groups. This law established Kurdistan as self-governing, but did not include Kirkuk and “imposed a vastly more central government control over the region than was envisaged by the March Manifesto.”232 Barzani did not accept the offer, and neither this law nor the Manifesto

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229 Yildiz, The Kurds in Iraq, 16-17.
230 Yildiz, The Kurds in Iraq, 18.
231 Yildiz, The Kurds in Iraq, 18.
came to fruition. For the Kurds, this was yet another example of the central state’s unfulfilled promises and lack of understanding of Kurdish aims.

Natali summarizes the relationship between the Iraqi central government and Kurds throughout this period:

By 1970 the pattern of reshaping behavior had become clear. After regime changes or when government power is threatened, the state elites attempt to reshape to consolidate their power-base. But given the domination of conservative Arab nationalist, and military factions in the government, the elites are unable or unwilling to cross the threshold of granting the Kurds political equality. Reshaping is not real but simply a time-gaining tactic used by Iraqi officials.²³³

The regime cooperated with and gave concessions to the Kurds when politically expedient, but easily dismissed Kurdish demands when it did not need their support. It is interesting to speculate whether this pattern continues to affect the Kurds’ perception of their role in the government today and if their fear of being taken advantage of by the central state leads them to be more emphatic in their demands.

The central government was able to increase its control over all of Iraq’s communities by taking advantage of Iraq’s increasing oil wealth. According to Natali, “The petrol economy created new incentive structures for the state elites to co-opt and control Kurdish groups.”²³⁴ This included increasing the Arab populations of Kirkuk and other regions with significant oil reserves. The Baath party also tightened its grip on the state to the extent that Iraqi citizenship required loyalty to and membership in its ranks.²³⁵

This was exemplified by a law in 1986 in which anyone who ran for election to the

²³⁵ Natali, “Manufacturing Identity,” 278.
Legislative Council, an elected body within Kurdistan, had to be approved by the central government and believe in and promote the principles of the party.²³⁶

The beginning of the Iran-Iraq war was characterized by a slight improvement in Kurdish-Arab relations, largely because the government wished to temper any domestic issues that would hurt their efforts in combat. As the war reached its conclusions, however, “the diminishing military threat from Iran freed the government to concentrate additional forces against the Kurds.”²³⁷ This was in response to Kurdish nationalists’ support of Iran and their increased control over northern regions as the central government was concentrated on its military efforts. The result was increased torture, relocation, and indiscriminate detention imposed on the Kurds by the central government.

Arguably the worst devastation experienced by Iraq’s Kurds took place in 1988 and is known as Al-Anfal. During this campaign, Ali Hasan al-Majid, Saddam’s cousin, undertook mass executions in Kurdish villages, destroying 90% of them and at least 20 small towns. Writes O’Leary, “The operation was carefully planned and included identifying villages in rebel held areas, declaring these villages and surrounding areas ‘prohibited’ and authorizing the killing of any person or animal found in these areas.”²³⁸ Human Rights Watch concluded the event was a crime of genocide and made special note of the regime’s use of chemical weapons against the town of Halabja and other Kurdish villages.²³⁹ The extreme degree of violence has been a stain on Kurdish-Arab relations

since, and confirms for many Kurds their perception of a history of persecution and violence suffered under the Iraqi state.

In defense, Saddam argued Al-Anfal was part of an operation against traitors of the state and the Kurds’ desire to gain autonomy. The attack was also intended as revenge for the Kurds’ support, whether real or perceived, of Iran during the Iran-Iraq war.\textsuperscript{240} In 1986, the Iranian government brokered a truce between the PUK and KDP, leading Saddam to fear an alliance between Kurdistan and Iran.\textsuperscript{241} Given the scale of death and destruction during the eight year war, it was not difficult for Saddam to convince many Iraqis that his actions were necessary to secure the country from further incursions. Saddam’s rhetoric also gave weight to the view that the Kurds were outsiders and not full and authentic members of the Iraqi state.

The Kurds became involved in the revolt against the Iraqi government in the spring of 1991. Many of those who participated believed the U.S. under President George Bush was going to support the uprising, and were greatly disappointed when he did not supply them with arms. This belief originated with Bush’s suggestion that the Iraqi people “take matters into their own hands” and force Saddam out of power. Similar statements were broadcast to the Iraqis on the Voice of American station. Regardless of the catalyst, Saddam put down the uprising easily and used ground troops and helicopter gunships to regain the north. At least 20,000 Kurds died in the crackdown, and millions of refugees fled to Turkey and Iran.\textsuperscript{242}

\textsuperscript{240} Gunter, “The Kurdish Minority,” 268.
\textsuperscript{241} Yildiz, \textit{The Kurds in Iraq}, 25.
\textsuperscript{242} Yildiz, \textit{The Kurds in Iraq}, 34-36.
In response, the United Nations Security Council created a Kurdish safe haven and northern no-fly zone through Resolution 688. This region was 40,000 square kilometers in area, about half the size of Iraqi Kurdistan. Iraq withdrew its government from the safe haven in October 1991, allowing the Kurds there a measure of self-governance under the new Kurdistan Regional Government. Elections to the Kurdistan National Assembly took place in May 1992, resulting in a power sharing agreement between the KDP and PUK.\textsuperscript{243} The Kurds within the area consequently gained experience in the processes of democracy and participation in a representative government, a familiarity that many observers have argued affects their involvement in Iraqi democracy today.

The failure of the uprising and subsequent creation of the safe haven by the U.N. were major developments in the Kurds’ relationship with the central government. In many ways, the uprising was a continuance of the struggle by Iraqi Kurds to make their demands known to the increasingly powerful central state. Saddam’s violent reaction then cemented the Kurdish perception of their inferior status within Iraq. The creation of an autonomous region for the Kurds was in many ways necessary given the brutality they experienced at the regime’s hands, but it furthered the Kurd’s experience of being separate from the Arabs and thus separate from the state. Maintenance of this level of self-rule has become a nonnegotiable for Kurds in democratic Iraq, a stipulation that some believe threatens the state’s unity.

As a fairly autonomous area under the protection of the United Nations, the Kurdish haven was able to avoid many of the effects of sanctions that were so detrimental
to the rest of the country. The opportunities provided by this shield did not influence all residents of the area equally, however. Thabit Abdullah writes:

The relative safety created the basis for a more stable economy, but its uncertain future, fear of Turkish intentions, and the continuous rivalry between the KDP and PUK also gave rise to smuggling and profiteering, with the two Kurdish parties making the most of this parallel economy.\textsuperscript{244}

Kurdish autonomy was not without its challenges, and failed to satisfy many of the expectations of the population. Still, it was an important development, and one that has greatly affected their place in Iraqi democracy.

Two years after the creation of the KRG the arrangement between KDP and PUK broke down and was accompanied by serious clashes between the parties. According to Gunter:

Ultimately, their conflict derived from the old struggle for power between the more conservative, nationalist KDP, associated with the Kurmanji or Bahdinani speaking areas in the mountainous northwest of northern Iraq, and the most leftist, socialist PUK, largely based in the Sorani speaking areas of Sulaymaniya in the southeast.\textsuperscript{245}

They also conflicted over each other’s relations with Iraq, Iran, and Turkey. While the U.S. helped to broker a peace deal and division of power in 1998, the PUK and KDP remain somewhat antagonist actors as they continue to compete for power.

Despite the violence of the 1980s and 1991, the Kurds were arguably still committed to their existence in Iraq. It is true more Kurds during this time demanded federalism as a way to gain power beyond that offered by autonomy, yet “it cannot be emphasized enough that Kurdish demands at this point did not envisage the obliteration

\textsuperscript{244} Thabit A.J. Abdullah, \textit{A Short History of Iraq} (New York: Longman, 2011), 151.

\textsuperscript{245} Gunter, “The Kurdish Minority,” 271.
of Baghdad as a center of government.”246 As Gunter writes, “Despite the abject failure of Iraqi nationalism to satisfy and encompass Kurdish nationalism,” both parties remained loyal to Iraq. Barzani declared “our [the Kurdish] goal is not to set up an independent state,” while Talibani stated, “We do not want to break away from Iraq; we want a democratic Iraq.”247 Thus, Iraqi Kurds focused on their status within the state rather than a wider, shared identity with their Kurdish brethren in other countries.

The condition of the Kurds in Iraq prior to the American invasion, then, was one of separation and resentment. In 2002 and 2003, the Kurds and other opposition groups within Iraq felt increasingly certain that the Bush administration was preparing to overthrow Saddam Hussein. Seeking to gain power and decision-making capabilities in the aftermath, the groups met in February 2003 in the Kurdish safe haven to form a preparatory committee for the post-Saddam transition.248 Unsurprisingly, the Kurds were supportive of the U.S. campaign and played a central role from the beginning of the democratic project. As the Coalition Provisional Authority and other early decision-making bodies included limited Sunni participation, the Kurds and Shia were empowered and allowed to voice their interests to an extent they had never experienced before.

Going forward in the transition, the political alliance between the Kurdish bloc and the Islamic Supreme Council of Iraq was instrumental in the passage of the constitution by referendum in January 2005 and the composition of the Council of Representatives. The Iraqi Governing Council included Barzani and Talabani as well as three other, independent Kurdish leaders, and a top Barzani aide, Hoshyar Zebari, was

248 Katzman and Prados, “The Kurds,” 34.
foreign minister in the cabinet appointed by the IGC. The interim government was similarly organized, with Zabari acting as foreign minister and Talabani aide Barham Salih as deputy Prime Minister. In addition to their political participation, the 75,000 strong peshmerga Kurdish militia was “the most pro-U.S. force in Iraq” during this time and thus played an important role in the growing security services.249

According to Kenneth Katzman and Alfred B. Prados, “The high level Kurdish participation marked the first time in Iraq’s history that the Kurds had entered national politics on an equal footing with Iraq’s Arab majority.”250 This development naturally legitimized democracy in Kurdish eyes, despite the uncertainty over the shape of the government and the level of participation by Iraq’s other groups. The Kurds’ major demands following Saddam’s removal were:

…autonomy bordering on outright independence, the expansion of their autonomous region to include Kirkuk and parts of the province of Mosul, and a weak central government in Baghdad to ensure that their gains will not be overturned.251

They took full advantage of their ascendant position under a U.S. fostered democratic process to ensure that these demands were heard and met as fully as possible.

The Kurds’ bargaining position was compounded by the Sunni boycott. Their willingness and ability to participate in the new government and thus to influence policy in the early stages allowed them to include what is known as the “Kurdish veto” in the constitution. This affirms that constitutional revisions may be rejected by a two-thirds majority vote in three or more provinces, ensuring that the Kurdish regions can halt

251 Abdullah, A Short History, 168.
amendments they see as harmful to their interests. The constitution is also inherently federal in that it creates distinct regions with allocated governmental powers, a provision that can protect the Kurds from excesses or abuses on the part of the central government.252

Iraq’s Shia and Sunni communities were understandably anxious over the prospect of increased Kurdish autonomy embodied in a new constitution. In response, the Kurds argued “that the Kurdish preference for federalism was driven by security needs more than a desire to break away, and that federalism was the strongest guarantee that the country would remain united.”253 Though the inclusion of such provisions was necessary to gain Kurdish support, there is disagreement over whether the Kurd’s success in the constitution-building process has led to hesitation over its rightfulness among Iraq’s other constituencies.

Consequently, some argue that the Kurds’ input to the constitution led to the creation of a document:

…that reflects the political realities of the immediate post-invasion period, when those opposed to the furthering of Kurdish autonomy or the federalization of Iraq – namely Sunnis and Shias not affiliated with ISCI – were excluded (or, more precisely, excluded themselves) from the constitution-writing process.254

Democratic legitimacy requires buy-in by all the major state actors towards the constitution and the government structure it puts forward. If Iraq’s Sunnis and Shias feel the current document does not sufficiently protect their interests, conflict over any proposed changes will likely manifest.

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The debate over Kirkuk is exemplary of the larger tensions between the Kurds and the central Iraqi government. Kurds consider the region part of Kurdistan, albeit one that was “Turkified during the Ottoman Empire and Arabized by every government since the inception of the state.” Today, Kirkuk’s population includes Kurds as well as Arabs, Turkmens, and Christians. Kirkuk is located next to Iraq’s second largest oil field, which holds one-fifth of the country’s reserves, increasing its strategic value. The region is of great economic and symbolic significance to both Erbil and Baghdad as they attempt to come to an agreement on the shape of Kurdish federalism.

In line with Kurdish demands, the Transitional Administrative Law of 2004 stipulated three stages in the determination of Kirkuk’s status in the newly democratic Iraq. These included normalization, or a reversal of Arabization, a census, and a referendum. The constitution’s Article 140 incorporated this outline, and were it to be implemented, it is likely the referendum would lead to Kirkuk’s inclusion in Kurdistan. The support of Kirkuk’s other minorities for this policy is questionable, however, and the geographic segmentation of its Kurdish, Arab, and Turkmen communities further complicates any other initiative of the Kurdish leadership.

Furthermore, Turkey is firmly opposed to Article 140 or other attempts to include Kirkuk in Kurdistan, as its leaders believe such a determination would empower Iraqi Kurds to the point of declaring their independence. This would likely incite Turkey’s own restive Kurdish population. Regional tensions are already high given the

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assertiveness of Iraqi Kurds and their strengthened position in the state. Turkey, Iran, and Syria view the possibility of more boldness by the Kurds of Iraq as threatening to the stability of their own Kurdish regions in its potential spillover effects.

The debate over federalism and the Kurds’ rightful place in Iraq has been shifted by a change in the demographics of Kurdistan. Many Arabs living within the boundaries of Kurdistan were relocated there as part of the Saddam’s forced Arabization campaign, leading many Kurds to perceive them as outsiders. This transference has accelerated since 2003, as nearly 20,000 Arabs have moved north to seek jobs in Kurdistan’s stronger economy.\textsuperscript{259} It is more difficult to argue for autonomy on the basis of Kurdish identity and guarantees of cultural and language rights when the ethnic makeup of the region is increasingly mixed. This affects subsequent Kurdish demands, because Kurdistan’s leaders must attempt to pacify both the Kurdish and non-Kurdish populations.

The reality of the KDP and PUK’s participation in the Iraqi government has led them to expand their bases of support by tailoring their platforms to include the non-Kurdish populations in Kurdistan. Neither Talabani nor Barzani will risk his position in the government by raising the issue of secession, and any talk of Kurdish-nationalism is avoided in the interests of relations with Turkey and other neighboring states. This stance may become problematic for the current Iraqi Kurdish leaders, for:

\begin{quote}
…it is exactly these sorts of ideas that the active political classes in Iraqi Kurdistan now wish to hear, and this is one of the main reasons (along with the issue of corruption) why the leadership of the KDP and PUK is routinely and powerfully criticized.\textsuperscript{260}
\end{quote}

\textsuperscript{259} Barkey and Laipson, “Iraqi Kurds,” 68.
\textsuperscript{260} Ahmadzadeh, “Kurdish or Kurdistanis,” 147.
Participation in a democracy requires Kurdish leaders to seek to meet the demands of all those living in Kurdistan, but may endanger their support among a Kurdish population who sees them as too yielding in their platforms.

Most recently is the controversy posed by current Iraqi Prime Minister Maliki. Maliki is often described as a centrist, and has been publicly critical of federalism in Iraq since 2005. He was also supported by the Sadrists in 2006, a group that has been particularly vocal in their opposition to the Kurdish demand for Kirkuk. According to Visser, Maliki stated in November 2007 that “decentralization should not come at the expense of the governance capabilities of the capital.” Whether Maliki’s concern over federalism is related to its potential effects on state stability or his own efforts to amass power at the center is uncertain. His position in Iraqi politics, however, ensures his views will be taken seriously by Kurds and non-Kurds.

The question of federalism has also led Maliki and the leaders of Kurdistan to spar over foreign oil investments. Kurdistan, under the KRG, has signed almost 50 oil and gas deals with international oil companies. However, the central government has claimed that it considers any such deals with the KRG as invalid, though the KRG asserts that they are acting within the constitution. Most recently, a member of the Iraqi Department for Energy stated that Exxon Mobil would be excluded from the state’s upcoming licensing auction because it had struck a deal with the KRG. Much of this

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conflict might stem from a claim by both the KRG and the central government for oil-rich territory that was included in the KRG-Exxon deal.\footnote{262}{Hassan Hafidh, “Iraq Blocks Exxon License Bid,” \textit{The Wall Street Journal}, February 13, 2012, http://online.wsj.com/article/SB10001424052970204795304577220572807271132.html.}

Given these tensions, some Iraqis argue that it may be time to reassess the constitution and its emphasis on regionalism and devolution. In their view, such a discussion will “return Iraq to what is perceived to be its ‘natural’ state, a unitary entity focused on Baghdad with key competences all under the control of a centralized state.”\footnote{263}{Stansfield and Anderson, “Kurds in Iraq,” 142.} Though many Shia supported federalism during 2005 as a guard against the rise of a powerful Saddam-like leader, their current position in the state has changed their calculations. Conversely, Sunni leaders have historically favored a centralized state but now worry about the national government’s increasing authority under Maliki.\footnote{264}{Sean Kane, Joost R. Hiltermann, and Raad Alkadiri, “Iraq’s Federalism Quandary,” \textit{The National Interest}, February 28, 2012, http://nationalinterest.org/article/iraqs-federalism-quandary-6512.}

Kurds also support the efforts of other provinces, such as Sunni-majority Diyala and Anbar, to gain autonomy. Maliki is staunchly opposed to this stance, as he sees such autonomy as a threat to the authority of the central government.\footnote{265}{Tim Arango, “Iraq’s Factional Chaos Threatens to Disrupt a Kurdish Haven,” \textit{The New York Times}, January 3, 2012, http://www.nytimes.com/2012/01/04/world/middleeast/anxious-turning-point-for-kurds-in-iraq.html.} It is difficult to assess how popular the Kurdish vision of increased autonomy for Iraq’s constituent groups is among other members of the population. According to Visser, since 2008 most of Iraq, besides Kurdistan, has been mostly satisfied with the federal government as operating from Baghdad.\footnote{266}{Visser, “The Kurdish Issue,” 77.}

Similarly, as reported by \textit{The National Interest}: 

\begin{itemize}
\end{itemize}
For Kurds, federalism has almost acquired the status of a religious belief system because it is tied to their century-old quest for their own state. But for many Iraqi Arabs, federalism is seen as synonymous with partition.\textsuperscript{267} It is true many Iraqis want decentralization to the extent of greater authority over issues of local interest. Most, however, do not support Kurdistan-level autonomy.

The departure of American forces in late 2011 has of course forced new calculations for the Kurds, believed by many to be America’s strongest ally in the country. The new situation has worried the Kurds, for “among Iraqis, the Kurds benefited the most from the war, and now may have the most to lose if the political chaos…metastasizes into civil war.”\textsuperscript{268} In an interview with \textit{The New York Times}, Barham A. Salih, prime minister of the Kurdish regional government admitted the community’s fear, saying, “Our national interest as Kurds lies in a democratic, federal, peaceful Iraq. We still have a long way to go before we get there.”\textsuperscript{269} Going forward, the Kurds are positioned between Sunni and Shia factions that are, for the moment, increasingly hostile toward each other. The best-case scenario for democracy in Iraq would be for the Kurdish political community to offer a bridge between the competing Arabs, stimulating the compromises needed for democracy.

Perhaps it is not that Iraqi Kurds do not want their own state, but that for the moment they see remaining part of Iraq with a measure of autonomy as their best option. They of course factor into such calculations the likelihood that a move toward independent statehood would aggravate Iran, Turkey, and Syria, possibly leading to regional conflict. According to Abdullah:

\textsuperscript{267} Kane, Hilterman, and Alkadiri, “Iraq’s Federalism.”
\textsuperscript{268} Arango, “Iraq’s Factional.”
\textsuperscript{269} Arango, “Iraq’s Factional.”
Ironically, Kurdish leaders who have long fought for autonomy and greater separation are today doing more to keep the country unified than any of the Arab leaders. There is a greater awareness in Kurdistan that the dismemberment of the country will surely result in Turkish and Iranian intervention, leading to the loss of even limited regional sovereignty.\(^\text{270}\)

The uncertainty that accompanies a failing Iraqi state leads many Kurdish leaders to support unity, to guarantee their own positions and the successes their community has achieved.

More fundamental is the remaining problem of the Kurds’ and other groups’ sense of belonging in the Iraqi state. According to Gunter:

For democracy and federalism to work, all groups must recognize the legitimacy of the state, trust in one’s fellow citizens, and have faith in majority rule. Since there is no tradition of any of this in Iraq, the Kurdish future in post-Saddam Iraq remains problematic.\(^\text{271}\)

This issue is especially contentious for the Kurds, given their community’s long tradition as a minority making demands for independence. Henri J. Barkey and Ellen Laipson argue: “Should federalism be viewed over time as weakening the Iraqi state and unity of the country, the Kurds and their affective advocacy of their interests could well be held accountable.”\(^\text{272}\) Iraq’s Kurds must balance their desire for autonomy and recognition with participation and enrichment of the democratic process.

Iraqi Kurds’ desire for a weak national government that upholds their demands for power sharing measures and a federal structure with significant autonomy is based on their generally contentious history with the central state. There is a sense that Kurds will press for increased self-rule or threaten secession if Iraq’s democracy fails to guarantee

\(^{271}\) Gunter, “The Kurdish Minority,” 278.
\(^{272}\) Barkey and Laipson, “Iraqi Kurds,” 68.
these demands or is seen as withholding too much power from provincial administrations. The prospects of independence, however, are questionable: geopolitical realities preempt Kurdish secessionism and potential benefits from Kurdistan’s oil wealth require major improvements in the region’s infrastructure. Arguably, the best option for the Kurds is that Iraqi democracy strengthens and so demands their continued participation and support. Improved and better functioning rules and institutions will further provide for the recognition of Kurdish demands while allowing cooperation between the Kurds and other political factions on matters that rightfully concern the entire state.
CHAPTER SIX: TOWARD CONSOLIDATION?

Iraq’s experience with democracy has been mixed so far, as historical ethnic and social divisions have become salient and conflictual through the external introduction of a more open and competitive political system. The challenges faced by Iraq during its transition are in some ways characteristic of the general experience of countries with multiple ethnic and religious groups. However, Iraq is unique in many ways as well, given the unity displayed by its communities at various points in its history and the potential for their cooperation under more favorable economic and political circumstances. Iraq’s democratic experience is also influenced by the fact that the transition was initiated by an outside power, one that has played a heavy role in determining the shape of the system. The inability of the state to deal with competing political demands in a context of decreased security led to intersectarian conflict that continues to test the state today.

However, it is possible democratic government has gained a degree of legitimacy among the Iraqi population and will offer a long-term solution to conflict management among Iraq’s communities. Democracy provides equality under the law and allows the articulation of all major interests. It addresses previously violent conflicts through political channels, and gives communities an opportunity to make their demands known through institutionalized methods of representation. Over time, it may promote a civic
identity that encompasses all ethnicities and religious sects. It is important then to explore how this occurs and if Iraq displays any evidence of such a development.

Generally, democracies are more likely to endure when they experience a high level of legitimacy, or support from citizens of the state. According to Leonardo Morlino and Jose R. Montero, legitimacy “is a set of positive attitudes of a society toward its democratic institutions, which are considered as the most appropriate for of government.”\textsuperscript{273} New democracies may experience an initial increase in legitimacy simply because they offer change from the authoritarian regimes of the past. However, citizens may hold back their support for the new system because they are uncertain how it will affect them. It is also likely that in the beginning stages the rules of democracy are imperfect and incomplete, and thus unsuccessful in providing acceptable political outcomes.

Legitimacy is separate from efficacy, or a political system’s effectiveness in accomplishing policy objectives. While efficacy is affected by a regime’s economic performance, legitimacy is tied more closely to citizens’ perceptions of the rightfulness of democracy as compared to other political systems. As Morlino and Montero note:

\ldots the correlations between preferences for democracy over authoritarianism (diffuse legitimacy) on the one hand, and satisfaction with the working of the respondent’s democratic regime (perceived efficacy), on the other, are rather low.\textsuperscript{274}


\textsuperscript{274} Morlino and Montero, “Legitimacy and Democracy,” 243.
Again, citizens may be attracted to democracy largely because it represents a break with the authoritarian regimes of the past. Such perceptions are unlikely to last, however, and democratic legitimacy consequently requires a basis in something besides its novelty.

Though Iraq has had continuous democratic government since 2005, successive leaders and coalitions have largely failed to tackle the state’s most pressing problems. Many challenges related to economic and social infrastructure may be blamed on Saddam’s wars and the breakdown in state capacity following 2003, but the inability of democracy to adequately tackle joblessness, inequality, and corruption has frustrated most Iraqis. For example, unemployment is more than 15 percent, and 25 percent of the population lives under the poverty line. 40 percent of Iraqis are age 14 and under, resulting in a high influx of new laborers and further strains on the job market. The level of urbanization has reached 66 percent, placing increased demands on the state’s already burdened health and education facilities. Finally, Transparency International ranked Iraq the seventh most corrupt country in the world in 2011 and noted its lack of transparency and safeguards for investments. 275

There are a number of signs the economy is slowly making progress, however. As reported by The Daily News Egypt, gross domestic product growth reached 9.6 percent in 2011 after averaging 3.6 percent between 2004 and 2010. The International Monetary Fund estimates that GDP growth will surpass 10 percent through 2016. Foreign investment in particular has increased, with estimates that new contracts reached $55.7 billion in 2011 and involved 276 companies from 45 countries. Half of the new contracts

in 2011 were in oil, gas, or residential real estate, with the rest in electricity, water, and sanitation, “showing how the primitive state of Iraq’s infrastructure is a business opportunity as well as an obstacle for investors.”\footnote{Andrew Torchia, “Foreign Investment in Iraq Finally Building Momentum,” \textit{The Daily News Egypt}, April 20, 2012, http://www.thedailynewsegypt.com/foreign-investment-in-iraq-finally-building-momentum.html.} Still, it will likely take years for most Iraqis to benefit from the state’s recent economic growth. The hope of future economic prosperity or overall efficacy is not sufficient to legitimize Iraq’s democracy.

It is possible the processes of democracy may themselves build legitimacy for the system. Alfred C. Stepan argues that a government can retain legitimacy simply by claiming that its authority is based on “democratic procedural origins” rather than success in the economic or other realms.\footnote{Alfred C. Stepan, \textit{Arguing Comparative Politics} (New York: Oxford University Press, 2001), 140.} This contention is based on democracy’s status as a system in which citizens can vote out representatives with whom they are dissatisfied and so remain hopeful for the prospects of new leadership and policies. Furthermore, citizens will consider democracy more legitimate over time if they perceive it to respect their rights and give them reasonable expectations for the future. Stepan writes:

As long as a democratic regime completely respects the rule of law, this respect can act as an independent insulating factor for the regime and one to which citizens can attach an independent value.\footnote{Stepan, \textit{Arguing Comparative Politics}, 140.}

It is unlikely a new democracy will be completely successful in this regard, but if citizens believe the system is making progress then it is possible it will retain support.

The most recent Iraqi elections took place on March 7, 2010 and filled the 325 seat Council of Representatives. Most noteworthy was the dispute between the State of Law coalition and Iraqiyya over the rightful prime minister following the announcement
of election results, delaying the formation of a government for nearly nine months. While Iraqiyya, a self-described secular party supported by many Sunni, received more votes than State of Law, a coalition of mostly-Shia parties headed by then prime minister Nuri al-Maliki, the judiciary was pressured by Maliki to reassess the election rules established in the constitution. The judiciary subsequently ruled in Maliki’s favor and allowed State of Law the opportunity to align with another Shia bloc post-elections to gain sufficient seats and form the government.  

This controversial move prompted protest by former interim prime minister Iyad Allawi and other politicians, followed by a nine-month stalemate during which State of Law and Iraqiyya leaders debated how the government was to be formed and who was the rightful prime minister.

A power sharing arrangement known as the Arbil Agreement was formalized in November 2010. The settlement called for the participation of all blocs in the formation of a “national partnership government.” Major issues related to the formal inclusion of Iraqiyya and minority parties remained unresolved, however, and according to Marina Ottoway and Danial Anas Kaysi, the government “was from the outset based on a fragile grand alliance of parties brought together not by a common ideology or a common governing program, but by expediency.” Neither State of Law nor Iraqiyya were able to gain the needed seats along without including the other, and ISCI and the Sadrists, though not particularly supportive of Maliki, failed to find an alternative candidate to

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support. Still, parties of different interests with supporters from various factions came to an acceptable arrangement on a highly contentious issue by democratic means and without resort to violence.

It can also be argued that the elections displayed increased support for issue-based candidates and parties over those organized along strict ethnosectarian lines. State of Law, though mostly Shia, separated itself from the more radical and sectarian Islamic Daawa movement by including secularists and Sunnis in its coalition. This decision was largely motivated by the poor January 2009 electoral showing of the party, known then as the Iraqi National Alliance, in the non-Shia areas of northern Iraq. Furthermore, State of Law displayed ideological coherence rather than identity coherence, and “focused on the vision of a functioning centralized government in Iraq.”282

Other coalitions organized along less sectarian lines also emerged during the lead up to elections. The Unity of Iraq Alliance, for example:

…forms yet another second-generation alliance in Iraq’s post-2003 politics, based on participation by politicians from various sects and ethnicities on an equal basis and connected through certain common ideological preferences.283

Additionally, the Iraqiyya coalition led by pro-American and former prime minister Allawi, a Sunni, “aspire to be the number one secular political movement in Iraq.”284

Parties that appealed to sectarian politics, such as Moqtada al-Sadr’s Iraqi National

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Alliance, did not perform as well as those organized along broader, more pragmatic issues.\textsuperscript{285}

Despite the formation of a government, some aspects of the agreement have not been realized and most of the blame has been laid on Maliki and his unwillingness to cede power to other state institutions. For example, the agreement stipulated the creation of the National Council for Higher Policies to be headed by Allawi. No such body has been created, frustrating members of Iraqiyya and other parties that were to be included.\textsuperscript{286} Maliki has also faced criticisms over his increased control of the security forces and judicial system. While the government was formed without resort to violence or extraconstitutional measures, the inclusion of parties with such varying interests and motives has also made significant progress difficult.

There is evidence that even with these failures in governance the democratic system now experiences a measure of legitimacy and stability. According to the \textit{Iraq Country Report} published by Bertelsmann Stiftung in 2010, among Iraqis “there is a widespread belief that the current political and constitutional order, at least in its broadest contours, is here to stay.”\textsuperscript{287} Seven nationally representative surveys conducted from 2004 to 2011 by the Independent Institute for Administration and Civil Society Services, an Iraqi organization, seem to confirm this sentiment. Their findings “reveal a significant increase in the proportion of Iraqis who adhere to Iraqi nationalism and favor secular

\textsuperscript{286} Mardini, “Iraq’s Recurring,” 2.
\textsuperscript{287} “BTI 2010 – Iraq Country Report,” \textit{Bertelsmann Stiftung} (Gutersloh: Bertelsmann Stiftung, 2009), 6
politics over an Islamic government.”\textsuperscript{288} For example, Iraqis who identify themselves as “Iraqis above all” rather than Muslims, Arabs, or Kurds, increased to 63 percent in 2008 from 23 percent in 2004. Though this level dropped slightly to 57 percent in 2011, the trend is hopeful.\textsuperscript{289}

This information underlines the argument that engaging in the processes of democracy helps to legitimize it and make it more stable. As Dankwart A. Rustow writes:

There must be a conscious adoption of democratic rules, but they must not be so much believed in as applied, first perhaps from necessity and gradually from habit. The very operation of these rules will enlarge the area of consensus step-by-step as democracy moves down its crowded agenda.\textsuperscript{290}

It is true that despite their general dislike of Saddam, many Iraqis have questioned democracy in both its imposition and its contribution to conflict. Even so, the processes of democracy, whether elections, the passage of legislation, or application of the rule of law, may gradually be expected as the methods to make decisions and resolve disputes. Democracy will become more stable because individuals realize their futures are best guaranteed through involvement in its established, peaceful institutions.

Participation in democracy might also assist in the formation of a civic, national identity that supersedes the more divisive and potentially conflictual identities of ethnicity or sect. Lucian W. Pye notes this possibility, writing:

In stable systems the basic political socialization process that gives people a sense of identity also provides a recognition of the legitimate scope of all forms of acceptable authority in the system. Conversely, a people may, through coming to

\textsuperscript{289} Moaddel, de Jong, Dagher, “Beyond Sectarianism,” 66.
accept the legitimacy of popular structures and authorities, develop a sense of their national identity.\textsuperscript{291}

Working through established political channels on issues of national concern will bond individuals across communities and ethnic and sectarian groups in a way not possible in an authoritarian system. As citizens become more involved in the political process, it is possible they will increasingly see themselves as Iraqis whose futures are tied to those of their fellow citizens.

Iraq’s most worrying political dispute at the present is what many see as an attempt by Maliki to consolidate his power by eliminating political threats. This was evident in December 2011 when Maliki, a Shia, alleged Sunni vice president Tariq al-Hashemi was involved in terrorism and issued a warrant for his arrest. Maliki’s actions in this case and others have been met with criticism from across the political spectrum, including Kurdish parties and fellow Shia Sadr and his followers.\textsuperscript{292} While many in Iraqiyya’s bloc called for a boycott in response to Hashemi’s arrest, several members defected and most have now returned to the parliament.\textsuperscript{293} Maliki’s critics are right to be angered at what appears to be the prime minister’s disregard for the democratic system, yet they have chosen to continue participating and to voice their disapproval largely through political channels.

The practice and eventual habituation of democracy also helps lessen the uncertainty that led to conflict during the transition. Zachary Elkins and John Sides note,

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“As democracies persist over time, individual political and civil liberties, as well as electoral actors and procedures, become institutionalized.”

It is through this learning process that citizens come to appreciate a political system that both protects their rights and allows them the prospect of gaining power in the future. They continue: “Democracy will engender more certainty regarding participatory channels, if not outcomes.”

Though democracy always implies at least a measure of uncertainty in terms of electoral results and the decisions of representatives, the rules of the game or the standards under which actors operate should be unambiguous. This will increase their acceptability among citizens.

The 2010 elections witnessed a participation rate of nearly 62 percent of the population, including many Sunnis. After boycotting contests in the past, Sunnis came to the realization that their involvement was necessary to gain political power and a voice in important upcoming decisions, including the production and distribution of oil.

According to a March 2010 report by the U.S. Department of Defense, the involvement of political parties across sectarian lines was a “positive indicator of the legitimacy and inclusion of the elections.”

This reaction was reinforced by a report that nearly two thirds of Sunnis, Shias, and Kurds viewed the elections as free and fair and expressed a belief that the parliament offered hope for the progress of all Iraqis.

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The participation of Sunnis more generally bodes well for the stability of democracy in Iraq, as they were the group that naturally felt most threatened by the implementation of representative processes. This speaks to their acceptance of the rules of the game, as explained by J. Samuel Valenzuela: “…procedural consensus are more readily reached if the participants in the democratic process do not expect to lose all the time, and think that no dire consequences will follow when they do lose.” Sunnis will continue to vote and field candidates on the condition that they consider the political system fair and inclusive. If, however, the political system and its outcomes become unacceptably favorable to the Shia majority or Kurdish federalists, they may perceive their interests as no longer served by democracy.

Most recently there has been controversy over the arrest of Faraj al-Haidari, head of the Independent High Electoral Commission, on corruption charges. Haidari had clashed with Maliki after the 2010 election and notably refused to hear Maliki’s petition that the commission throw out thousands of Iraqiyya votes. In response to the arrest, “Iraqi leaders from across the political spectrum accused…Maliki…of seeking to undermine the country’s electoral system.” Sadr issued a written statement where he declared that Maliki’s order for the arrest “…should be done under the law, not under...
dictatorship.”\textsuperscript{300} Ramzi Mardini, an analyst at the Institute for the Study of War in the United States, remarked that “the arrests are galvanizing Maliki’s opponents because of the commission’s central importance to the democratic process.”\textsuperscript{301} Whether out of a realization that Maliki’s increased control will reduce the electoral prospects of their own parties, or a concern for the integrity of democracy more generally, Iraqi politicians from all segments have voiced their dissent at events they perceive as damaging to the political system.

Democracy can also reduce the conflict that many see as inevitable in democratic transitions in divided states. At the conclusion of Stephen M. Saideman and his partners’ study, they remark: “Although competition can exacerbate ethnic conflict, our assessment is that increased access will ameliorate it.”\textsuperscript{302} They confine their argument to the short term, because they believe that over time frustrations with democracy will lead to more conflict. Other theorists disagree, and contend the longer democracy subsists, the more fully it will be accepted by the population as the legitimate framework within which to operate. Guillermo O’Donnell, for example, writes, “The existence of a majority (or at least a strong and conscious minority) of democrats...is a consequence of the existence – over a sufficiently long period of widespread practice – of political democracy.”\textsuperscript{303} In Iraq, it is possible that democracy will succeed if only because Iraq’s major groups have come to accept it as the established political system.

\textsuperscript{300} Van Huevelen, “Iraqi Leaders.”

\textsuperscript{301} Van Huevelen, “Iraqi Leaders.”


Conflict within democracy is resolved through legislative and judicial procedures rather than violence. As Anna K. Jarstad and Timothy D. Sisk write:

…democratization provides a set of rules under which conflict can continue to be waged through formal, rule-oriented institutions such as electoral and parliamentary processes that offer a fundamental floor of human rights in the event one party or another finds itself on the losing side of collective decision-making processes.\(^\text{304}\)

Pye continues: “…well-established and firmly institutionalized structures and processes of government can greatly reduce and even completely overcome the strains that might arise from situations of potential crisis in the other areas of nation building.”\(^\text{305}\) Conflict is likely both in states divided along identity lines and in states attempting to deal with deep economic and security challenges. However, rule-based resolution of conflict in which individual civic and political rights are protected is much preferable to violence.

When violence does take place in a democracy, it matters more how the government handles it than that it actually occurred. This is particularly true when the violence is on behalf of groups or factions that oppose democracy and seek to discredit it as a system. Stepan draws parallels between the way a democracy deals with violence and its dealings with economic problems:

…guerilla violence, like economic recession, creates problems for a new democratic regime. However, we believe that as with economic recession, the most important variable is the way the political system processes the facts of guerilla and political violence.\(^\text{306}\)

Democracies have the capacity to manage violence according to consensually established rules, ensuring that perpetrators are dealt with fairly and lawfully. This further engenders

\(^{305}\) Pye, “The Legitimacy Crisis,” 137-8.
\(^{306}\) Stepan, *Arguing Comparative Politics*, 147.
the political system to the public, as it is just and effective in its treatment of those most critical of it.

Though still a persistent problem, violence has lessened in Iraq since its peak in 2006. In 2011, 1,000 fewer people were killed than in 2009 or 2010. March 2012 marked the fewest monthly killings since the U.S. invasion in 2003. The most significant attack during this period occurred on March 20, when a series of coordinated explosions rocked Iraqi cities in an attempt to disrupt the upcoming Arab League meeting in Baghdad. The withdrawal of American troops in December 2011 has been met with new violence as criminal elements seek to capitalize on the gaps in security. It is too early to say whether this uptick in attacks will have a detrimental effect on the political process. It will likely depend, however, on how the government's security forces and judicial processes handle the perpetrators of such violence and if the use of violence as an expression of grievance is increasingly unacceptable to Iraqi citizens.

The debate over the U.S. withdrawal itself confirmed Iraq’s democratic system. Though the U.S. military’s departure was in line with the 2008 Status of Forces Agreement signed by President Bush and Prime Minister Maliki, there was speculation that the Iraqis would request some troops stay to provide security and training. The U.S. was not able to secure legal immunity for any remaining troops, a condition that was nonnegotiable for American military leaders. More importantly, the Iraqi parliament would have had to approve any new agreement, an unlikely prospect given the

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unpopularity of the continued U.S. presence among many citizens. By requiring that the elected legislature approve this type of decision, Iraqi leaders and their American counterparts acknowledged democracy as the framework within which to address the issue. They also recognized that Iraqi politicians would likely defer to their constituents’ opinions and vote down any agreement that kept U.S. troops in the country.

The Arab League summit in March 2012 marked a significant achievement for the state of Iraq in terms of security and regional recognition. The summit had not been held in Iraq since 1990, and was rescheduled in 2011 due to instability. According to Foreign Minister Moshyar Zebari, the summit was “…a recognition of the new Iraq that emerged since 2003 by its new leaders, its new constitution, its new politics, [and] its new political system at the heart of the Middle East.”

The event did suffer a number of controversies owing largely to the $500 million price tag associated with planning measures and the somewhat poor attendance by regional Sunni leaders; still, its relative success does reflect on the progress that Iraq has made in security and governance.

Finally, various Iraq leaders including President Jalal Talabani, Sadr, Kurdistan President Massoud Barzani, and Allawi, met in Arbil on April 28, 2012, to discuss the future of Iraqi democracy. As reported by Associated Free Press, the politicians called “to put in place mechanisms that can solve the instability, and for ways to enhance the democratic process and activate the democratic mechanisms in managing the country’s

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affairs and preventing dangers that are targeting democracy.”

Sadr, in particular, stressed the need for adherence to the constitution and the Arbil Agreement, noting, “minorities are an important point of Iraq, and we have to bring them to participate in building Iraq, politically, economically, and in security.”

The leaders also stressed that Iraqis’ economic needs must take precedence over sectarian and ethnic divisions.

Iraq’s current difficulties involve those related to the day-to-day political wrangling of elites as they attempt to maintain their grasp on power. This is a fact of life in many democracies, including those much more established than Iraq. Iraq’s situation is then made more difficult by the reality that these political contests are taking place in a new and imperfect political system, one where political instability has in the past been associated with violence and security failures. After nearly ten years and five elections, however, there is evidence of increased cooperation across sectarian lines. The decision of Iraq’s political elites to act pragmatically rather than in strict adherence to identity divisions is likely a reflection of their calculations on how best to gain power in a system characterized by popular support.

Still, Iraq’s current and future challenges cannot be underestimated. Though violence is a persistent threat to social and political stability, perhaps most troubling currently are Maliki’s actions as he seeks to consolidate power, seemingly at the expense of Iraq’s new democratic institutions. There is the potential that his political opponents and those they represent will view democracy under Maliki as no longer amenable to

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311 Zebari, “Top Iraq Politicians.”
their interests and prospects for power. However, if Maliki is forced by his own party or
others inside the government to stay within the law, and if his opponents adhere to the
democratic system in their challenges to him, democracy and its role as mediator of
competing interests within Iraqi society will be strengthened. The processes of
democracy may not be wholeheartedly embraced by Iraqis, but they increasingly
characterize the framework within which actors from all sects and ethnicities have agreed
to work.
CHAPTER SEVEN: CONCLUSION

Democracy in Iraq faces a number of difficulties related largely to the manner in which it was introduced and its experience with authoritarianism and an exclusive political system that made ethnic and sectarian identities conflictual and competitive. This analysis of Iraq’s democratic transition has sought to argue that its experience so far is neither surprising nor hopeless. Furthermore, a review of some of the major theorists of democratization shows that political processes may over time strengthen the system’s legitimacy as individuals from all communities participate in and come to have confidence in the democratic system as provider of equal representation and procedural fairness.

States divided along ethnic or religious lines often experience conflict during the democratization process, and Iraq is in many ways such a case. Conflict does not occur because identities are primordial and identity groups are inevitably in opposition; rather, democracy triggers conflict as it allows for competition among new political actors in a context of uncertain power and security. Elites play an important role during the transition, and their decision to focus on issues of ethnic or religious identity as opposed to pragmatic, national concerns can increase the likelihood of conflict. It is frequently the case that elections both highlight and antagonize identity groups and serve to destabilize the new political system. Democratic consolidation and the formation of an inclusive,
civic identity is threatened if political and ethnosectarian loyalties become inseparable and cooperation among groups is seen as unlikely and undesirable.

Though democratization often intensifies divisions along identity lines, continued participation in democratic processes has the potential to make identities less narrow and more focused on national issues. The argument that Iraq is an artificial state as evidenced by sectarian conflict is not fully explanatory of either its history or its democratic experience. Accordingly, as Alfred C. Stepan and Juan J. Linz argue, “Political identities are less primordial and fixed than contingent and changing. They are amenable to being constructed or eroded by political institutions and political choices.”\(^3\)

It is true that under Saddam Iraq was constructed largely as a religiously, tribally, and ethnically divided state. This does not preempt the state from developing into an inclusive and democratic political entity even given its initial obstacles.

Iraq’s history shows instances of both discord and cooperation among the Shia, Sunni, and Kurds. For the most part, successive leaders and an unrepresentative political system led many Iraqis to view themselves in sectarian terms as they competed for power and economic goods. Eric Davis notes, for example:

The 1920 Revolution set a precedent for subordinating ethnic and confessional loyalties to a larger national entity. However, neither Great Britain nor the fledgling Iraqi state in formed in the wake of the revolt encouraged this spirit of cooperation.\(^4\)


This lends support to the argument that relations among Iraq’s identity groups are largely contextual, and might have been improved if state leaders had encouraged identification with the state and improved the political and economic interests of all people.

Relations among Iraq’s communities worsened under Saddam, particularly following the Iran-Iraq and Gulf wars and sanctions. The state was increasingly weakened, economically and socially, and thus unable and perhaps unwilling to provide for all Iraqis irrespective of identity. In particular, relations worsened between the central state and Shia, Kurds, and those Sunni not favored by Saddam. According to Martin Bunton, “Whereas the material prosperity and relative stability of the 1970s attracted Shia [and Kurdish] support, especially in the cities, the material rewards became scarcer in the 1980s and 1990s.” It was increasingly difficult for the state to substitute material rewards with meaningful political reforms, further excluding those groups outside of Saddam’s narrow tribal bases.

The United States made a number of mistakes in its invasion and introduction of democracy that worsened state capacity and ethnosectarian divisions. Perhaps the most severe of these involved the inability of the U.S. to provide sufficient security after Saddam’s fall and during the uncertainty brought on by the transition. Adeed Dawisha writes of the period following the invasion:

In such uncertain circumstances, the exhibition of uncontested state capacity was thus unquestionably crucial. That, however, did not come to pass; indeed, it would not be an exaggeration to say that the most defining characteristic of the state that emerged after 2003 was a chronic weakness that was palpable to all.315

New political competitors and those who opposed democracy in general sought to take advantage of this weakness, either to gain power or to discredit the United States and its allies. Increased instability led many Iraqis to look to their religious or tribal communities for support and security.

Conflict largely on such ethnosectarian lines has led many observers to argue that democracy cannot be achieved in Iraq. In this view, identity divisions are too deep and the state too fragile for democracy to successfully engage Iraq’s communities on civic, largely non-violent terms. Still, there is some evidence that Iraqi democracy is experiencing a level of success even now. Despite its imperfections, the major political actors have displayed an adherence to the procedural rules of the game. These rules are far from ideal, yet they provide a certain level of needed certainty in terms of political participation and electoral competition. Gradually, increased involvement according to democratic processes may improve and build support for the system. Additionally, cooperation across identities will lead Iraqis to engage with each other as fellow citizens regardless of religious sect or ethnicity.

As with many divided states undergoing democratization, Iraq’s first elections were decided largely along sectarian lines. This was less the case in 2010, as political parties based on more pragmatic considerations made an appearance and performed well in the parliamentary contests. The motivation for doing so was likely political actors’ desire to compete for more votes and to show progress on issues requiring cooperation. As Stepan and Linz note, “…elections can create agendas, can create actors, can reconstruct identities, help legitimate and delegitimate claims to obedience, and create
Continued experience with electoral competition and the rewards it provides for gaining cross-sectarian support can further break down the link originally formed between political and ethnosectarian identities.

It is especially important that in the coming years key issues related to Iraq’s economic and political development are resolved within the democratic system, to further legitimize it as the means by which decisions that affect all citizens are made. Dankwart A. Rustow explains:

…both politicians and citizens learn from the successful resolution of some issues to place their faith in the new rules and to apply them to new issues. Their trust will grow more quickly if, in the early decades of the new regime, a wide variety of political tendencies can participate in the conduct of affairs, either by joining various coalitions or by taking turns as government and opposition.\(^{317}\)

It can be argued that the political participation and success of each of Iraq’s communities has already helped to strengthen legitimacy among such communities’ leaders and members. Though some sense of efficacy is important, it is more the process of engaging in representative institutions than the actual accomplishments that will validate democratic procedures.

In terms of domestic stability, violence posed by either outsiders taking advantage of the state’s weaknesses or Iraqis seeking to display dissatisfaction with the regime remains a problem. Even so, democracy is not necessarily defeated by such events. As Stepan explains:

Certainly there will always be small minorities who, knowing that they cannot rally a large number of voters to their support, will turn to violence via terrorism […]. The important point, however, is that these attempts are not likely to be

\(^{316}\) Stepan and Linz, *Problems of Democratic*, 382.

successful in a democracy unless there is a much broader base of support for those engaging in the use of violence.\textsuperscript{318}

If violence as a political tool and a symbol of discontent is no longer seen as legitimate, those who employ it in Iraq will be weakened in their positions. Conversely, those who campaign and gain power within lawful democratic channels will help strengthen the system.

As with all democracies, Iraqis will naturally become frustrated when elected officials do not measure up to their expectations or achieve what was promised. Still, a “critical advantage of democracy is that it is possible to distinguish the democratic regime itself from the government of the day.”\textsuperscript{319} Citizens can remain hopeful for the future and exercise accountability over politicians through continued participation in elections. For Iraqi politicians, this requires compromise and a moderation of their positions to achieve goals and remain in office. Sunnis must realize they will no longer hold the absolute power they did under Saddam. Based on recent events, Maliki and the Shia more generally must come to display a willingness to work within democratic rules and to uphold the system though this might mean a loss to their majoritarian status. Finally, Kurds must acknowledge their place in the Iraqi state by balancing their demands for self-rule with meaningful participation in the central government.

Democracy in Iraq then confirms the predictions of many theorists of democratization in divided states. Iraq’s ethnic and sectarian divisions have challenge its transition to democracy, yet democracy remains the best system for managing conflict along such divisions through institutions that provide equal representation and the

\textsuperscript{318} Stepan, Arguing Comparative Politics, 155.
\textsuperscript{319} Alfred C. Stepan, Arguing Comparative Politics (New York: Oxford University Press, 2001), 154.
protection of civil and political rights. This analysis has attempted to show that in spite of its challenges, Iraqi democracy has gained a measure of legitimacy among the state’s communities and conflict once resolved violently is increasingly played out through political channels and along non-ethnic or sectarian lines. Increased stability and progress on pressing economic and social problems will undoubtedly make democracy in Iraq more secure; however, continued participation in its processes is most important in reducing divisions and creating support for a system that represents all Iraqis equally.
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