

PAPER DETAILS

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PAGES: 119-144

ORIGINAL PDF URL: <https://dergipark.org.tr/tr/download/article-file/5397>

IRAQ: ONE, TWO, OR THREE STATES, OR SIMPLY WAR(S)?

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OVERVIEW

US plans for Iraq are not succeeding – and are likely to fail disastrously – if the present occupation course is followed, including promotion of a unitary, secular state. Taking into consideration socio-political, institutional, and cultural factors, we explain several paradoxes about Iraq: the strongly nationalistic and powerful “anti-colonial” sentiments among many Iraqi; the Sunni-Shi’i cleavage and its power implications; the issue of the Kurds, the history of outside interference in Iraqi affairs and the imposition of inappropriate models of “democratic government”; the historic key role of the Iraqi military; and the problems of the governability of a region with deep divisions. These and related dimensions have implications for establishing a viable future government. The paper goes on to propose a few guidelines for accomplishing stable, peaceful order(s) – in particular, it proposes a transition process with multi-lateral negotiations among major Iraqi groups, the involvement of the EU and the EU candidate state Turkey as well as Iran in mediating roles; and it stresses the importance of considering alternative institutional designs for a future “state of Iraq” and dealing effectively with the substantial issues of minority rights and equitable distribution of oil revenues and other key resources.

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There are two key outside agents in a position to facilitate a peaceful transition: the US (and its allies) and (not so obviously) the EU with the possible involvement of Turkey. The EU must be convinced that it has the moral authority, skills, and economic power to mediate multi-lateral negotiations among key Iraqi groups (Shi'i, Sunni, and Kurds) and to provide sanctioning and peace-keeping facilities following multi-lateral agreements. The EU is right and proper for this role because it has reasonably good relations with most of the major actors involved or likely to be involved, including the USA. Turkey, a Muslim country, will increasingly assume the role of a future member of the EU and can play a constructive part in Iraqi developments. The US leadership must be convinced that first, there is no "Iraqi nation"; second, legitimate authority and public order must emerge from within Iraqi society, starting with the Kurdish and Shi'i regions setting the stage for multi-lateral negotiations (including even Sunni insurgency groups) and the formation of new order(s); third, US forces must be withdrawn as soon as is feasible -- because there is almost universal opposition to their presence, a situation distorting all internal developments, even positive ones; fourth, the outcome of these difficult processes -- whether, as we discuss later, one state or two or more, whether Islamic dominated or secular with Ba'ath Party resurrection -- will probably not be to the liking of some or many outside Iraq. The promises of a new course in Iraq are the minimization of death and destruction on all sides and an increased likelihood of establishing stable and democratic order(s).

BACKGROUND

The background and development of Iraq as a country is essential to understanding many of the contemporary problems of Iraq. Much of what is presented in this first section is well known to specialists but not to the general public and the general media. We distinguish several phases in Iraq's development as a region: (I) the state of socio-cultural and political affairs prior to its formation as a country (pre-1918); (II) the Monarchy largely under British domination (1918-1958); (III) the Revolutionary Period (1958-68); (IV) Ba'ath Party domination (1968-2003) which includes the period of Saddam Hussein (Husayn) dictatorship.

I. Ottoman Period. What we know as Iraq today consisted in the Ottoman Empire (ca1350-1920) of roughly three central provinces (*eyalets*) of the Ottoman of Mosul, Baghdad, and Basra (with a couple of smaller *eyalets* in the North and South).¹ These provinces reflected only roughly the geographic, linguistic, and religious divisions of Ottoman Iraq. Most of the inhabitants of Mosul (and Shahrizor) in the north and northeast were Kurds and other non-Arabs. The people of the south and south-west were overwhelmingly Arab or Arabic-speaking. Ottoman rule translated in this region into the dominance of Sunnism. Although the Shi'ite notables of southern Iraq enjoyed considerable local influence, they were of mixed loyalties. They tended to resent the Sunnite-dominated Ottoman administration and to identify with Shi'ite Iran. Ottoman civil administrators and army officers, virtually all of

¹ Some consolidation of the region took place (in the late 1860s) under Midhat, vali of Baghdad and commander of the Ottoman 6th Army; he extended his authority north to include Mosul, Kirkuk, and As-Sulaymaniyah as well as Basra and Al-Hasa in the south. But in the last decades of the Empire, the three provinces again became separate entities.

whom were Sunnites, came to constitute a political elite that carried over into the post-1918 country of Iraq created and governed initially by the British and later by military regimes and finally, until the US led invasion and occupation, the Ba'ath Party regime.



II. British Domination (1918-1958) and The Establishment Of The "State Of Iraq". Britain, with profound interests in the Persian Gulf and the Tigris-Euphrates region since the late 18th century, ultimately brought an end to the Ottoman presence in the region of Iraq, winning control of the three main provinces (and two smaller ones).² Britain's engagement concerned not only its Middle East geo-

² Britain and France reached a secret agreement (the 1916 Sykes-Picot Agreement) about the partition of the Ottoman empire after the war. Under this agreement, Mosul was to go to the French, but the British invasion of Mesopotamia resulted in their control of Mosul. In the negotiation of a rewrite of the earlier treaty, Britain offered almost 25% of Iraqi oil income to the French. The USA represented another potential constraint. The USA wanted Mosul to remain in Turkey, according to Charles Glass (2004). To "buy off" the USA, Britain granted it a substantial (almost 25%) stake in Iraqi oil. Thus, Britain managed to buy off France and the USA with Arab oil. Eventually the ownership and access to Iraqi oil was split five ways: 23.7% each to the UK, France, Netherlands, and the USA. The remaining approximately 5% went to a private oil corporation headed by Calouste Gulbenkian, who had brokered the initial agreement with the Ottoman State. The Iraqi government struggled to obtain a concession for itself (at a level of 20% promised to the Ottoman government) but was forced to accept

political interests: its competition with the Ottoman Empire was already established (Britain had been deeply involved with Egypt since 1882 (until 1952)); Russia (later the Soviet Union) was also active in the region. These powers were potential threats to India (through threatening vital lines of communication to India via Iran and Afghanistan). Britain had, in addition, a growing interest in oil. The Anglo-Persian Oil Company had begun production on the Iranian side of the Persian Gulf, and there were strong indications that oil might be found elsewhere in the area (substantial oil was discovered near Kirkuk in 1927). The Turkish Petroleum Company (TPC) initially involving British, Dutch, and German interests (from 1912) along with those of Calouste Gulbenkian had obtained concessions from Ottoman to explore for oil in the vilayets of Mosul and Baghdad (see footnote 2).

British interest in the region intensified as the Young Turks in Istanbul flirted with the Kaiser government of Germany prior to World War I. Fearing (or claiming to fear) that the German government would convince Istanbul to launch military action against them, the British made plans to send an expedition to protect their interests in the Persian Gulf.³ In the meantime, Istanbul sided with the Axis, and Britain launched in early November, 1914, the invasion and occupation of parts of Mesopotamia, taking Basra, November 22, 1914. Stalled, after a defeat in 1916, the British managed to enter Baghdad in the Spring of 1917. They took Mosul in early November, 1918.

In 1919 The British merged the three provinces of Mosul, Baghdad, and Basra into one political entity, thereby creating a country out of the extremely diverse religious and ethnic elements of these lands. This provided a backdrop to the persistent problems of ruling Iraq until today. The 1919 Paris (Versailles) Peace Conference made Iraq a mandate entrusted to Britain (this meant supervision of the country until independence could be established; Britain effectively remained in the picture until 1955).⁴ The League of Nations confirmed the Mandate over Iraq under British control with the name "State of Iraq". Palestine and Transjordan were also placed under British mandate, and Syria (and Lebanon) under French mandate.

nothing by the British who stated that Mosul would go to Turkey unless they accepted these terms. The TPC (renamed the Iraq Petroleum Company (IPC) in 1929) was granted a concession for a period of 75 years. Not until 1952 and the later nationalist pressures was Iraq able to obtain part of its oil riches.

³ This type of "pre-emptive military action" not only was employed by Britain but by Germany and Austria in relation to France (and Belgium) and Russia, respectively. President Bush articulated such a policy at West Point in 2001 (1/6/2001), this after almost a century of the League of Nations, the United Nations, the development of international law of collective efforts to prevent or constrain such types of action.

⁴ A commission set up by President Woodrow Wilson warned that independence for "states" such as Palestine, Syria, and Iraq should be granted as soon as possible. Furthermore, the idea of making Palestine into a Jewish commonwealth should be dropped. The commission report was ignored. None of the independence promised to Arabs prior to and during World War I was granted. Instead the entire "Arab rectangle" between the Mediterranean and the Persian frontier was placed under mandates largely suiting the foreign interests of Britain and France.

Already in 1917, the British declared to Baghdad what they saw as the problem of the so called “Arab world”, that still is echoed in the declarations of the USA and the English occupational powers (and their academic advisors) (Garnett, 1964:328-29):

To the People of the Baghdad Vilayet... our armies have not come into your Cities and Lands as conquerors or enemies but as liberators. Since the days of Hulaku your citizens have been subject to the tyranny of Strangers, your palaces have fallen into ruins, your gardens have sunken into desolation and you yourselves have groaned in bondage. ...It is the wish not only of my King and his peoples, but it is also the wish of the great nations with whom he is in alliance that you should prosper ...But you, the people of Baghdad, ... are not to understand that it is the wish of the British Government to impose upon you alien institutions. It is the hope of the British Government that the aspirations of your philosophers and writers shall be realised again. O! People of Baghdad. ... I am commanded to invite you, through your Nobles and Elders and Representatives to participate in the management of your civil affairs in collaboration with the Political representatives of Great Britain who accompany the British Army so that you may unite with your kinsmen in the North, East, South and West in realising the aspirations of your race.

In back of this rhetoric was of course an imperial desire to create a colony in order to control this strategic geopolitical area as well as potential oil resources (whether the colony would be under direct or indirect rule was debated fiercely within the British political elite). Britain also envisioned building a transcontinental railroad from Europe, across Turkey, and down through Iraq to Kuwait at the Persian Gulf. This railroad would allow a direct trade route with India without having to skirt Africa.

British occupation (together with other global agents such as France, the USA; the League of Nations) evoked intense passions among Arab nationalists in the Iraqi region who felt betrayed at being assigned a mandate status. During 1918 and 1919 anticolonial secret societies were formed.⁵ For instance, at An Najaf, Jamiyat an Nahda al Islamiya (The League of the Islamic Awakening), an anti-colonial secret society, was established bringing together diverse civil society agents (ulama (clergy), landlords, tribal leaders, journalists and other intellectuals. Another society, Haras al Istiglal (the Guardians of Independence) was formed in 1919 in Baghdad consisting of Sunni and Shi'i ulama, Iraqi officers, merchants, Sunni teachers and civil servants. The grand mujtahid of Karbala, Imam Shirazi launched organizing efforts. Shirazi issued a fatwa, stressing that it was against Islamic law for Muslims to countenance being ruled by non-Muslims, and he call for a jihad against the British.

⁵ Earlier groups in the Ottoman Empire – including some in the three provinces – were engaged in the Constitutional movements taking place in the Empire from the early eighteenth century which resulted in the establishment of a constitutional regime in 1908 (subsequently dissolved by Baghdad). Struggles for democracy and independence were commonplace (Burns and Kamali, 2003).

Nationalist and religious agitation followed first in northern Iraq and then in the tribal areas of the middle Euphrates. By the summer of 1920 the revolt had spread to all parts of the country. Initially, there were local outbreaks in Mosul; the insurrection moving south down the Euphrates River valley. Baghdad and the Shi'i Holy cities of Karbala and Najaf were among the most active cities in the movement. This insurrection came to be viewed as the Great Iraqi Revolution (1920). For the first time, Sunnis and Shi'is, cities and tribal areas came together in a common project of resistance – although in tactical and strategic terms it was weak and crushed within months by the British.

The British, exercising their Mandate, brutally suppressed the Iraqi nationalist-religious resistance movements. This involved, among other things, mass bombing of civilians, including the use in 1920 by the British Air Force of chemical weapons (mustard gas) on Iraqi towns and villages. There was little or no distinction between combatants and civilians. Many women, children, and other non-combatants were killed in a manner anticipating the bombing of Guernica in 1937 (immortalized in Picasso's painting) but 17 years ahead of its time.⁶ Forced movement of populations (even religious leaders) was not beyond British readiness to use all available means. In 1922-23 British forces arrested and deported to Iran many Shi'i clerics who had led a major movement against the occupation of Iraq. In Iran, they were received as heroes.

On the basis of the "legitimate" authority of their Mandate, the British established the institutional framework for an Iraqi government. Thus, they heavily influenced the writing of the constitution and design of the government including the structure of parliament. Among other things, they imposed a constitutional monarchy (selecting in 1921 a prince of the Hashimite family⁷ (sharif of Mecca claiming descent from the family of the Prophet Muhammad), and defined the territorial limits of Iraq. They established an indigenous Iraqi army, which came to play an increasingly important role in politics, as we discuss later. They continued the Ottoman practice of favoring Sunni over Shiite officers and administrators (which also enabled Sunni to obtain useful skills and capabilities and other forms of "cultural capital"). They also supported tribal shaykhs and other narrowly based groups over the growing, urban based nationalist movements.

⁶ Churchill, as secretary of state at the War Office gave permission to the Air Force to use chemical weapons against "recalcitrant Arabs, stating "I am strongly in favor of using poisoned gas against uncivilized tribes. As Omissi (1990) points out: one RAF wing commander, J.A. Chamier, issued the order: "The attack with bombs and machine guns must be relentless and unrelenting and carried on continuously by day and night, on houses, inhabitants, crops and cattle." Also, Arthur "Bomber" Harris, a young RAF squadron commander, reported after a mission in 1924: "The Arab and Kurd now know what real bombing means, in casualties and damage: They know that within 45 minutes a full-sized village can be practically wiped out and a third of its inhabitants killed or injured."

⁷ A popular opponent, Sayid Taleb who gained substantial popular support in Iraq was kidnapped and put on Sri Lanka (then Ceylon), thus blocking opportunities for Iraqis to choose their own leader.

The nationalists opposing British engagement argued that there were two governments in Iraq, one foreign and the other national, and that such a regime was an abnormality that was unworkable in practice.

In 1929 Britain decided to end the conflict and to try to better reconcile its interests with Iraq's national aspirations. It notified Iraq that the mandate would end in 1932, and a new treaty of "independence" negotiated. But this in fact simply continued Iraq's political and economic dependence on Britain. A new government was formed, headed by General Nūrī as-Sa'īd, who led the accomplishment of Iraq's quasi-independence and membership in the League of Nations.

The new treaty, signed on June 30, 1930, provided for the establishment of a "close alliance" between Britain and Iraq with "full and frank consultation between them in all matters of foreign policy which may affect their common interests." Iraq would maintain internal order and defend itself against foreign aggression, supported by Britain, although as we shall see Britain insisted on running the show in spite of treaty formalities. Any dispute between Iraq and a third state involving the risk of war was, according to the Treaty, to be discussed with Britain. In the event of an imminent threat of war, the two parties would take a common defense position. Britain would maintain three air bases in Iraq for 25 years (the Treaty's period of validity)

Air-base sites for British troops were therefore granted near Basra and west of the Euphrates, but these forces "shall not constitute in any manner an occupation, and will in no way prejudice the sovereign rights of Iraq" (later events were to prove these words shallow). This treaty was to come into effect after Iraq joined the League of Nations. On Oct. 3, 1932, Iraq was admitted to the League of Nations as an independent state.

The first Parliament met in 1925. Ten general elections were held before the downfall of the monarchy in 1958. The more than 50 Cabinets formed during the same period reflected the instability of the system, particularly its exposure (and vulnerability) to frequent coups d'etat.

From 1936 until 1941, when it was defeated in a war with Britain, the army dominated domestic politics, for instance, playing the decisive role in Cabinet changes (and, again, after WWII, as discussed later). The military (and strongly nationalist) thrust of the Iraqi government had led in 1941 to a confrontation and ultimately war with Britain.

Some Iraqi nationalists advocated alliance with Germany as the country that would advance independence and unity among Arabs. The British role in quelling the Palestine revolt of 1936 to 1939 intensified anti-British sentiments in the military and led to a group of disgruntled officers to form the Free Officers' Movement (aimed at overthrowing the monarchy, which was largely compromised with the British). Public opinion in Iraq became more openly anti-British after France's fall to Nazi Germany. Leading army officers were persuaded to pressure the

Government (that of Rashīd 'Alī) to detach Iraq from the British alliance. During 1940 and 1941, Iraqi officers were unwilling to cooperate with Britain, and Pan-Arab leaders began secret negotiations with the Axis Powers. Britain decided to send reinforcements to Iraq. The Prime Minister, Rashīd 'Alī, while allowing the landing of a small British force in 1940, was forced to resign early in 1941 but was reinstated by the army in April and refused further British requests for reinforcements.

British contingents entered Iraq from the Persian Gulf and from the Habbaniyah air base in April and May 1941. Armed conflict with Iraqi forces followed. The hostilities lasted only 30 days, during which period a few Iraqi leaders, including the regent, fled the country. By the end of May the Iraqi Army capitulated. Rashīd 'Alī and his Pan-Arab supporters left the country.

Through British military intervention, the Iraqi regent and moderate leaders returned to head the government. This had substantial consequences. Britain was given what it demanded: the use of transportation and communication facilities; a declaration of war on the Axis Powers (January 1942); the pro-Axis supporters were dismissed from the government and the military (some were interned for the duration of the war). Four officers who were responsible for the war against Britain were hanged.

Nationalist fervour, however, was unrelenting. It continued to inspire military as well as public opinion.⁸ The Monarchy remained compromised with the British. This came to a head after World War II in the writing of a new British-Iraq Treaty (to replace that of 1930, which was to expire in 1955). The so-called Portsmouth Treaty of 1948 was intended to allow a continued British role in Iraq's defense (and the continuation of three British bases) and some aspects of government. Despite several advances in the independence of Iraq in the new Iraq-British treaty, it was repudiated immediately in a popular uprising with rioting and demonstrations in Baghdad (the "Wathbah uprising"). The government was forced to repudiate the treaty and eventually to resign, and the 1930 treaty then remained in force. Consequently, British base rights terminated in 1955, and British forces were withdrawn. The stage was set for the next dramatic change which would lead ultimately to the formation of a single-party state led by Saddam Hussein.

III. The Revolutionary Period (1958-68). Nationalist-oriented military officers, calling themselves the Free Officers, were organized in small groups and prepared revolutionary plans. The number of Free Officers was relatively small, but there was a considerably larger number of sympathizers. The officers worked in cells, and the identity of the participants was kept secret. Only the Central Organization, which supplied leadership for the movement, was known to all as the Free Officers.

⁸ The original concessions from the time of the Mandate to the foreign dominated IPC left 0% to Iraq. The nationalist thrust in the post-World War II period led to substantial changes in the claims on oil resources (in 1952 a shift from 0% to 50% of IPC's profits before taxes).

On July 14, 1958, revolutionary forces captured the capital, declared the downfall of the monarchy, and proclaimed a republic. This Republican revolution altered power structures increasing, for instance, the influence of urban workers, peasants, and the middle classes. At the same time, the transformation of the old power structure revived or reinforced long-suppressed sectarian, tribal, and ethnic conflicts, the most important of which were the struggles between Kurds and Arabs and between Sunnis and Shi'is. The nationalist Republican revolution led also to further changes (1961) in the claims on oil resources: the IPC was dispossessed of 99.5% of its concession area, leaving it to operate only in those areas already in production.

There continued to be Kurdish turbulence and threat, political instability and coups d'état. The leaders of a military coup typically lacked the organizational or grass-roots support necessary to consolidate and sustain their power. Factionalism in the army itself was endemic.

Two emerging political parties, the Iraqi Communist Party and the Ba'ath Party became increasingly a key political factor, interacting with but still depending on dominant military elements.

IV. Ba'ath Party Domination (1968-2003). In 1968, the Ba'ath Party persuaded a few officers in key positions to abandon the military regime. At that time, the military government was overthrown on July 17, 1968, by army units. While power appeared to be in military hands, these were officers close to the Ba'ath Party. The military elite, as earlier, lacked the unity, the organizational backing, or the grass-roots support necessary to establish and remain solidly in power (see later). Within months, the Ba'ath leadership established an order that remained in power until 2003, the longest period of continuous political power in Iraq's less than 100 year history.

Nationalist interests continued the piecemeal process of reclaiming oil resources. The Iraqi Petroleum Company was nationalized in 1972, and by 1975 all foreign oil companies had been nationalized. The oil income, now under government control, provided a substantial resource base for the Ba'athist state to pursue at the same time "guns as well as butter" development.

MAJOR CONDITIONING FACTORS

We single out several of the political, institutional, and cultural factors to take into account if one is to understand better the "state of Iraq" and to identify effective ways to come out of the present critical situation.

1. **Social Cleavage, Political Instability, and the Use of Coercion** Iraq was from the moment of its artificial construction, in the wake of the collapse of the Ottoman Empire, a fragmented society with deep cleavages (consisting of 3 very different provinces of the Empire). As we discuss below, such a construction could only be ruled by force and/or a single national authoritarian organization.

There has been a long and crooked history in governing Iraq by the use of force. Systematic coercion was employed by the British in establishing its rule over “the state of Iraq”. And military force was used again and again to solve political conflicts, threats, or problems of state.

From the late Ottoman period until today, there have been a variety of political movements in the different parts of Iraq, some of them were committed to establishing democracy (but entailed social movements with multiple loyalties and programs). At the same time, there has been a long history of “nationalist” resistance to outside forces whether Ottoman, British, or US forces (as at the present time). Historically, it has been relatively easy to mobilize resistance to outsiders. Nationalism (represented and executed by the military as well as by civilian forces), has again and again provided a mobilizing force, although not always effectively organized or executed. (this is particularly so in the present situation, because the occupying army is both non-Muslim and non-Arab).

The “democratic system” established by the British was destined to fail. It did not – and was not designed to -- deal with the cleavages and the volatility of Iraq. It also lacked almost all legitimacy (because closely associated with an occupying power). The Monarch which the British put on the throne it created was not from the Iraqi region (although he had Arab and Islamic credentials) and lacked strong constituencies in Iraq and could, therefore, only gain minimal acceptance.

The persistent inability of the Iraqi government – whatever its components – to gain the confidence and support of key parts of the society and the general population resulted in chronic instability from the 1920s until the 1970s, when the Ba’ath Party (particularly under Saddam) established an effective but brutal one-party state.

2. Central Importance of the Military. The Iraqi military became not only carriers of nationalist ideology but also the organizational basis to control the country through coercion – in the face of weak civil society and weak civilian organizations (except for the networks of clergy (which were divided, however, between Sunni and Shii)).

Iraqi government failed time and time again to deal with critical problems, whether internal or external. Consequently, during the period of the Monarchy – with its quasi independence – the military gained increasing power and influence. The politicians in Baghdad never managed to develop deeply rooted constituencies with strong civil society links. Iraqi politics was more a shifting alliance of cliques and personalities. The military elite became the Hobbesian Sovereign and initiated a number of modernization projects (culminating in the Ba’ath period, 1968-2003). Military coups d’état in Iraq (as in the the Arab world generally) following World War II brought down monarchs and old ruling elites and established new regimes in which military officers and senior bureaucrats predominated. The military was for a considerable time the best organized institution on the national level, and it would provide to a greater or lesser extent authoritarian direction and the ultimate agency to resolve conflicts and overcome failures of government. (Eventually the Ba’ath

Party entered this equation of power (under Saddam, the military and Ba'ath Party interpenetrated systematically (see later)).

A country deeply divided such as Iraq called for a strong and relatively authoritarian state if it were to be kept together. In general, such countries either break up (when given the opportunity) or evolve a highly authoritarian central government which "integrates" the country, maintaining peace and order (and often launching authoritarian modernization programs (Kamali, 1998, 2005)).

Iraq's internal diversity and conflicts coupled with the external conflicts with neighbouring countries, provided the military a prominent place in Iraqi political and even social life. Modernization of the army and the improvement of its war machinery have been important aims of post-revolutionary Iraqi leaders (along with substantial modernization of Iraq), Saddam Hussein improved the military capacity of Iraq more than any other leader of the country).

Iraq became characterized by highly developed military institutions and chronically weak civilian regimes as well as national (that is, non-local) civil society arrangements. The armed forces felt that they alone were capable of providing strong and stable governments. At the same time personal and ideological factionalization within the armed forces fostered heightened instability and the cycle of coups that eventually culminated in the Ba'ath takeover in 1968.

The engagement of the army officers and generals in military coups and the leadership of the country date back to the 1930s. Coups d'état were serialized violence in Iraq: 1936 (the first in the Modern Arab world), 1941, 1948, 1952, 1956, and 1958 (which disposed of the Monarch and established the Republic of Iraq). In the period between 1958 and 1968 there were five (5) military seizures of power. There were also unsuccessful attempts in 1970 and 1973. On the one hand, army officers were convinced that theirs was an elite roll, that of the leading patriotic force in Iraqi society. The military also played an important role in integrating diverse minority groups in this extremely heterogeneous country. Still, it was a highly biased institution, maintaining the Sunni-Shi'i cleavage and the persistent Sunni domination over Shi'i.

On the other hand, the leaders had limited capacity to maintain a stable order. They typically had little organizational backing or grass-roots support necessary to remain in power. Factionalism in the army was widespread and its leadership frequently changed, given the lack of a coherent ideology (or a shared paradigm), nor an effective organizational structure for defining, negotiating and resolving conflicts (among the officers there were sympathisers of Communists and Ba'athists, Pan-Arab nationalists). This provided an opportunity structure for a political party like the Ba'ath (or its closest competitor, the Iraqi Communist Party). The Ba'ath Party took power in 1968, eliminating the military government. It maintained and deepened its power until the invasion and occupation of 2003. This involved in part eliminating the ICP as a viable (and competitive) force in Iraqi politics. The Ba'ath Party, particularly through the efforts of Saddam, became the cement of a significant

part of Iraqi society (if we ignore, of course, the turbulent Kurdish region and the marginalization of many Shi'i communities).

3. Ba'ath Party Hegemony and the One-Party State

The Ba'ath Party was founded in the early 1940s by two Syrian students. Its ideological goals of socialism, freedom, and unity reflected deeply felt sentiments of many Iraqis (and other Arabs). Another important point in this context was the influence during the 1930s and early 1940s of the models of the 'new Europe', namely Nazi and Fascist ideologies and countries (Germany and Italy) as well as the Socialist ideologies (the Soviet Union). The party spread among Iraqi intellectuals, typically among urban Sunni Arabs during the 1950s. By the late 1950s, Ba'ath ideas were influencing some military (a number of the Ba'ath high school members entered the Military College where they convinced classmates to join the party).

During the period of the emergence of the Ba'ath party, its main competitor was the Iraqi Communist Party (ICP). The ICP was established in 1934. It gained prominence in the 1948 unrest, when it organized a strike for higher wages at Haditha Petroleum pumping station that culminated in a march on Baghdad. The government responded by executing leaders of the ICP. The Ba'ath movement as well as the Communist Party were supporters of the officers bringing down the monarchy and establishing the Republic. One of the Revolutionary military leaders Qasim (or Kassem, interestingly, of mixed Sunni-Shiite background) during much of his regime (1958-63) was sympathetic to communists and trade unions and improved workers' conditions and introduced land reform aimed at dismantling the old feudal structure of the countryside. The ICP engaged not only in normal politics but labor union activities and formation of civil society groups and organizations.

These developments were seen as threatening, by diverse interests inside and outside Iraq. Military officers who were Muslims (either Sunni or Shiite) could not accept a major force for atheism and strong external ties to a non-Muslim (and non-Arab) country. Qasim's leftist sympathies also aroused fears in the West and in neighboring Gulf states of a communist takeover of Iraq. In 1961, Qasim further threatened neighboring states and British and US interests by laying claim to the newly independent state of Kuwait (this was a recurrent theme in Iraqi politics because of the fact that Kuwait had been part of the Basra province under the Ottomans and was separated only at the discretion of Britain under its "nation-building" mandate. As a result of growing internal and external opposition, Qasim was overthrown in 1963 by Ba'ath and military forces. He was a hero for millions of urban poor and impoverished peasants, many of whom demonstrated on his behalf, to no avail. The communists, although an important movement, were eventually destroyed by a Ba'ath-military alliance

After 1968, the Ba'ath leadership worked to accomplish control over the military, the only institution in Iraq in a position to challenge it. Ba'ath undertook purges of

the armed forces and granted military posts to civilians. To institutionalize its control of the army, the Party adopted an eclectic strategy. First, it restricted admission to military colleges and institutions to members of the Ba'ath Party. Those accepted could expect generous financial rewards if they remained loyal, but if they did not, they could expect the death penalty. Second, discrimination in recruitment and in promotion on religious and nationality grounds was intensified. Key senior posts went to officers related to Saddam or to other individuals from Tikrit (according to Charles Glass (2004), most of the Ba'ath hierarchy was Sunni; Shi'i made up only a fraction).

The Ba'ath Party, particularly as shaped by Saddam from the 1970s until 2003 combined universalistic features (namely, some of those characteristic of modern totalitarian or Leninist type parties) with tribal/clan ties. It was characterized by cliques from the same village, town, or tribe (clan). Still by 1988, Ba'ath Party could claim 10% of the population as supporters and sympathizers. Cadres or full party members were estimated at 30,000 or 0.2% and as many as 1.8 million were Ba'ath Party members). The conception was, of course, of an elite party stressing selectivity rather than quantity in recruiting cadres. Those who desired to join the party had to pass successfully through several apprentice-like stages before being accepted into full membership. By 1988, close family and tribal ties bound together the Ba'ath's ruling clique. In particular, the Tikritis – Sunni Arabs from the northwest town of Tikrit – were related to top leadership including Saddam.⁹

The Ba'ath Party provided a secular, modern ideology and exercised monopoly over all forms of power, dominating and controlling civil society (see Figure 2). Such a party managed to “integrate” the state of “Iraq”, except for the Kurdish areas in the North (this continued to be an open sore as with previous regimes). Of course, the military and police were important pillars of control, but there was considerable internal support and engagement of large numbers of the population in the party-government nexus. The Ba'ath Party was a very substantial source of patronage, welfare and other benefits, based on oil income (rather than taxation). The system proved highly stable – especially in comparison to the previous 50 years of Iraqi history. Its undoing resulted from failure to solve the Kurdish problem and the readiness of the dictatorship to engage in military adventurism which resulted in wars with Iran and Kuwait (and in the latter case leading eventually to military confrontation with the USA and other powers).

⁹ Already by 1977 (eleven years after 1968), the most powerful men in the Ba'ath party were related to the triumvirate of Sadam Husayn, Bakr, and General Adnan Khayr _Allah Talfah, Saddam's brother-in-law who became minister of defense in 1978. All were members of the Party, the RCC (Revolutionary Command Council), and the cabinet and all were members of the Talfafi family of Tikrit. Increasingly, the most sensitive military posts were going to the Tikritis

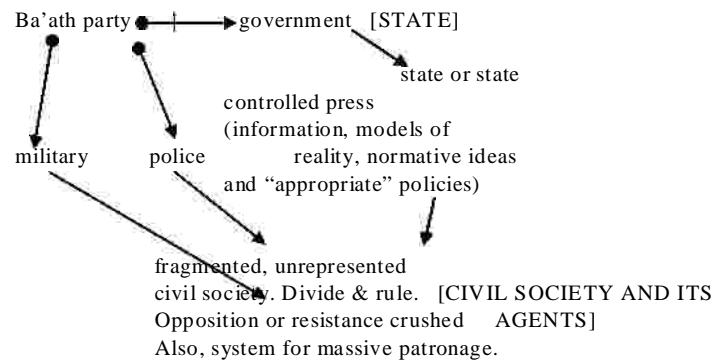


Figure 2: Ba'ath Domination of the military, police, and other state agencies as well as civil society.

4. Shi'i, Kurds, and Military Adventurism: The Achilles Heels of Ba'ath Iraq

The Ba'ath dictatorship, even if well organized and possessing a powerful army, was faced with serious internal threats in Iraq: in particular, the Kurdish problem and the threat of Shi'i revival movements unsympathetic to Ba'ath socialism and secularism (and also to a Party dominated by Sunni groups) became particularly acute after the Iranian Islamic Revolution.

Sunni Muslims, who were a minority, in the Iraqi region have historically dominated the administration and military forces in the region. This was an established recruitment principle under the Ottomans and was followed under the English Mandate, for example in selecting and training military officers and administrators. Many of the officers of the new army set up by the British were necessarily Sunni who had served under the Ottomans. Lower ranks were filled by Shi'is as well as Sunnis. This bias was perpetuated by the Sunni political and military elites, after independence as well as after the establishment of the Republic. It continued under the Ba'ath Party dictatorship. From the mid-1980s, Iraq's military commanders came from the small town of Tikrit, on the Euphrates River in the heart of Iraq's Sunni Arab community. The Shi'i majority was represented in the officer corps, but in a proportion far below that of their numerical presence in society.

The state of Iraq throughout its history has been dominated by relatively small groups of Sunni Arabs. The post-invasion situation with elections possibly taking place at the end of January, 2005, portends a revolution, and a condition difficult for many Ba'ath and military Sunnis as well as everyday Sunnis to accept. And they have ready arguments: the revolution has been imposed by an invading force; the

current (and anticipated Shi'i regime) is designed to dis-enfranchise and humiliate the Sunni in Iraq; the Sunni symbolize Iraqi nationalism and leadership, etc.

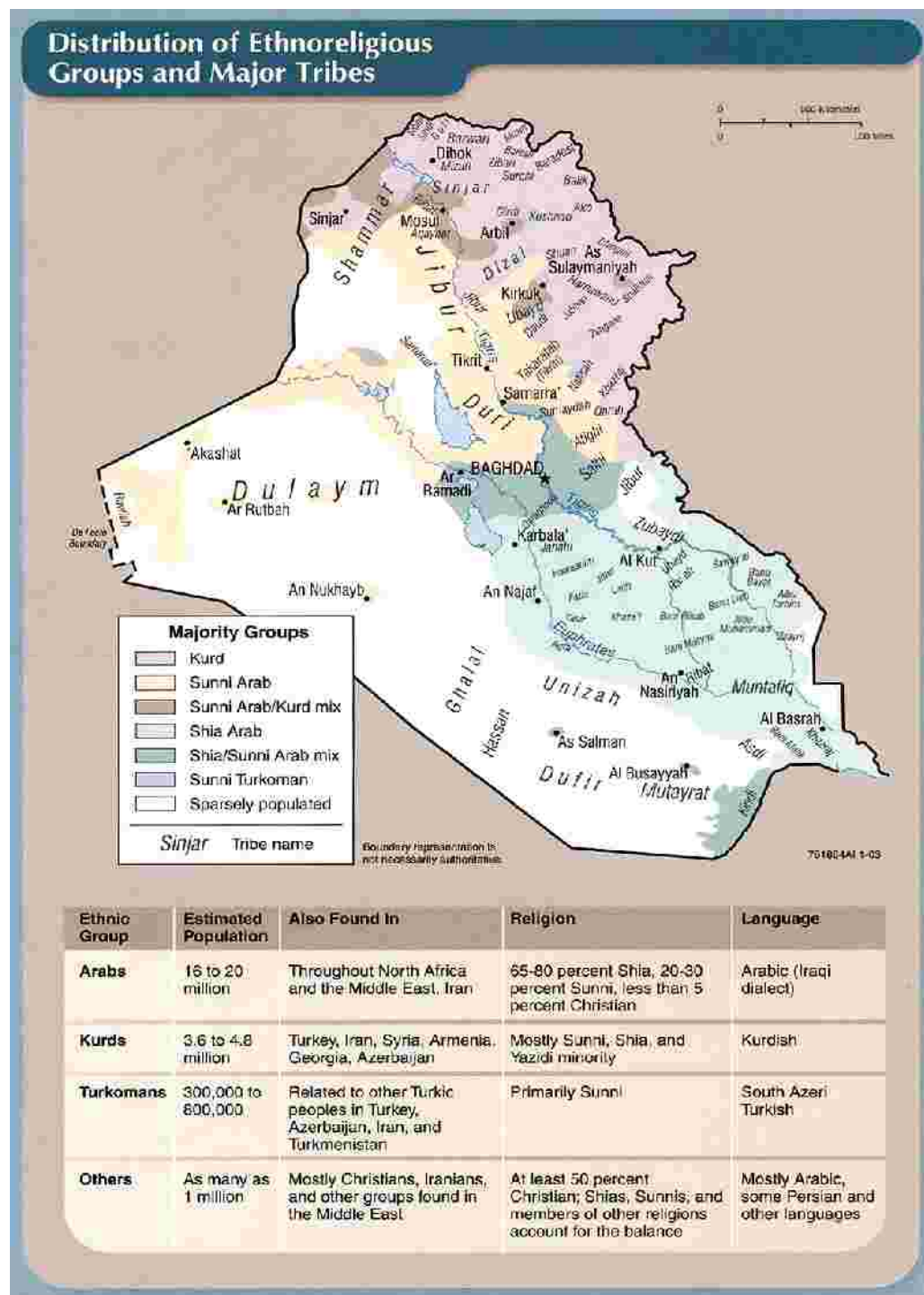
The Kurdish problem is of another character. The final British decision to include Mosul in Iraq (and not leave it to Turkey, an assignment that the USA would have preferred as well as apparently the Kurds themselves at that time) was based largely on the belief that the area contained large oil deposits (which turned out to be true).¹⁰ Mosul oil was a benefit (but a limited one for Iraq until after World War II). The presence of a large number of well-armed and restless Kurds in Iraqi territory would plague Iraqi governments until today. There have been frequent Kurdish uprisings demanding greater autonomy (beginning in the early period of the British Mandate, 1922-24, in response to British encroachment in areas of traditional Kurdish autonomy; at the end of WWII, 1961-63, 1968-1970, 1975). The Kurds, the majority of whom lived in the area around Mosul, have demonstrated time and time again their commitment to independence and separatism. From the 1930s, the Iraqi government itself maintained an uneasy peace with the Kurds, but Kurdish hostility and rebelliousness remained an intractable problem for future governments.

The Kurds have had USA support since the first Gulf War. They are today the most effectively organized part of the "State of Iraq". they have an effective army of possibly 50,000 in total, a functioning administration and police. They are unlikely to accept or obey a strong central state in Baghdad. At the same time, they are an international threat to Turkey and Iran with their large Kurdish populations.

In trying to deal with the Kurds and Shi'i majority, the Iraqi government has tended either to provide them with benefits so as to co-opt them into the system, or to take repressive measures against them.

¹⁰ The formal decision about Mosul was not settled until 1925, as determined formally by the League of Nations and agreed to by Turkey and Britain.

Distribution of Ethnoreligious Groups and Major Tribes



Military adventurism has been another highly destabilizing force in Iraq's post-World War II history. There were certainly opportunities. Historically, Iraq had had tensions with Iran over territory boundaries as well as the Kurdish question. Iran occupied three small pieces of territory along the Iran-Iraq border that were supposed to be returned to Iraq under the treaty of 1975.

Relations with Iran grew increasingly strained after the Shah was overthrown in 1979. Iraq recognized Iran's new Islamic government, but the Iranian leaders denounced the Ba'ath regime as secular. Ayatollah Khomeini, the spiritual leader of the Iranian revolution, proclaimed his policy of "exporting the revolution," and Iraq was high on the list of countries whose governments were to be overthrown and replaced by an Iranian Islamic type of regime.

In 1979 and 1980, border clashes occurred frequently. Saddam Hussein announced on Sept. 17, 1980, that he was tearing up the 1975 treaty, which it claimed Iran had violated. On Sept. 21–22, 1980, Iraqi forces invaded Iran and bombed Iranian air bases and other strategic targets. The war endured almost a decade (1980-90) killing more than 1,000,000 persons (with almost no change in territory).

Iraq's military adventurism not only concerned Iran. Kuwait was another focus of tension and Iraqi aggressiveness. In 1961, the Iraqi Republican government – no longer subject to British review -- claimed newly independent Kuwait as a province of Iraq, stemming from its Ottoman inclusion as part of the Basra villayet. However, British military assistance to Kuwait deterred invasion. But the Kuwait separation has been a persistent theme in modern Iraqi history. With the end of the Iranian-Iraqi war, the stage was set for a further military adventure (after the terrible losses during the 1980s, the risky invasion of Kuwait is hardly conceivable in the context of even a quasi-democratic society). Under the Saddam-Ba'ath dictatorship, this led to the invasion of Kuwait in 1990 and subsequently the first Gulf War (1990-91) and a persistent confrontation with the USA..

5. Conclusions

The role of some countries (such as Britain and France, and later the USA) in the sociopolitical developments of many Muslim countries – and Iraq in particular -- has been in large part destructive and anti-democratic. Over a long history (1919-1955), the British in particular demonstrated time and time again that they had no real ambition to establish a well-functioning democracy or to respect and develop the indigenous institutions of the region. Similarly, the USA supported undemocratic and in some cases brutal regimes such as that of Saddam, supported the suppression during the 1950s and 1960s of the popular Iraqi Communist Party, involved the CIA in Iraqi coups and assassination attempts, and backed up the dictatorship of Saddam Hussein against Iran, a war launched by Iraq that resulted in more than a million dead on both sides.¹¹

¹¹ One need only be reminded that also the Taliban and Al Qaeda were earlier clients (on the web one may view photographs of Rumford with Saddam, bin Ladin with Bush).The

The failure of democratization in Iraq is one aspect of the repeated foreign and internal (particularly the military and Ba'ath) subversion of embryonic democratic developments. The British played a pivotal (and highly destructive) role in the institutional design of the "state of Iraq" – even if the design had the embellishments of democracy such as elections and parliament and a constitution.¹² These could not be made to work under the social and socio-political conditions found in Iraq, deep cleavages between Kurds and Arabs, between Sunni and Shi'i communities, between urban and rural areas, the absence of a "nation-wide" civil society, the engagement of the military in politics (as the only national force, and one which paid scant attention to basic forms of democratic institutions and practices). Military and later Ba'ath Party authoritarianism were institutionalized in recruitment, training, selection for advancement, police monitoring and repression, and a wide spectrum of everyday non-democratic practices.

Hussein's Ba'ath regime managed through a balancing of the use of the carrot and the stick to maintain some equilibration of the religious and sectarian conflicts: Kurds vs Arabs (and versus the central government of Baghdad), Sunni versus Shi'i, among others. The Ba'ath government -- obviously, a ruthless one -- managed to link to the party many Iraqis who previously or potentially would have opposed the central government. Thus, it achieved some success -- in a modern sense -- of integrating many of the country's disparate social forces.

Saddam Hussein played a key role -- this from within the Ba'ath Party, since he lacked a military background -- in establishing an effective, relatively stable (but of course highly oppressive) order for the first time in modern Iraqi history. In his disputes with Iran and Kuwait (1975-1990), he was only continuing the struggles of his predecessors. But the context had become very different. In Iran, there was a revolutionary Islamic regime that abhorred Hussein and was an ideological as well as military threat.

The USA invaders in 2003 decided (in spite of numerous warnings from the Army War College, The Future of Iraq Project,¹³ and the Center for Strategic and

hypocrisy of the USA is obvious when it claims democracy for Iraq at the same time that it embraces Saudi Arabia, Egypt, Pakistan, Tunisia, and even Qaddafi's Libya and Uzbekistan! The USA cannot appear credible in its claims and pronouncements to the Muslim World without some minimum consistency.

¹²The disparate factions were never unified (Tripp, 2000). Dawisha, an Iraq-born historian and author of *Arab Nationalism in the Twentieth Century*, suggests that Britain "failed" mainly because it granted Iraq too little autonomy: "From the establishment of the Constitutional Monarchy in 1921 all the way to its fall in 1948, Dawisha points out, "it was clear that none of the Iraqi governments could carry out any policy against British opposition. And I would put oil at the top of the list. Oil sales served the interests of Britain, not Iraq."

¹³ The Future of Iraq Project was located at the U.S. State Department's Bureau of Near Eastern Affairs. More than 15 working groups made up largely of Iraqi exiles were coordinated by a bureau official, Thomas S. Warrick. They researched a multitude of potential problems in postwar Iraq, from the justice system to electricity grip, and public order. Their

International Studies) to eliminate the two institutions that might have helped to maintain public order in Iraq, namely the Ba'ath Party and the Army.¹⁴ The way was opened, not unexpectedly, for a substantial breakdown of public order in much of Arab-speaking Iraq (observable on global TV every day), particularly in the Sunni areas most closely identified with these institutions. The present weak (barely the skeleton of a) state is a serious problem in the face of the challenge to maintain public order – a major threat in any country when the government collapses, but especially problematic in a deeply divided society. New power bases are of course emerging, for instance the Kurdish quasi-state in the North, armed insurgent groups especially in Sunni areas, and Shi'i clerical power introducing new forms of religious politics – largely foreign to Iraqi post-World War II politics.

The present occupation government has little or no legitimacy in Iraq – and therefore little capacity to mobilize or to make use of civil society – because it is closely associated with non-Islamic forces and is largely understood as an alien power (except among many Kurds). The USA forces have some opportunistic support among Shi'i, who had hoped that US forces would maintain sufficient order to enable the recent election to be conducted (which they more or less succeeded in doing), an election which the Shi'i are almost guaranteed to win. International observers refused to come to Iraq. Many Iraqi observers were also frightened away (who blames them when election officials were murdered in the streets). Current Iraqi forces together with those of the USA lack the capacity to secure the country under conditions of widespread insurgency – probably most of the Iraqi forces lack the commitment or will to do their part (they have not been recruited on the basis of their strong commitments). It is apparent that the US (with its proxies) is unable to govern Iraq or to maintain stable order.

Part of the Ba'ath party nexus is undoubtedly re-established (especially in some Sunni areas such as Mosul). It will sooner or later find itself in a position to make itself public. Whether it will play a constructive or destructive role in Iraq remains to be seen. But certainly, there is a niche in the current situation for more secular and nationalist groups in the society and also for an agent that can represent some or many Sunni segments of Iraq in post-election negotiations (see below) and can appeal to the secular middle classes essential to running the country. At the moment,

work resulted thousands of pages of text, 13 volumes concerned with rebuilding the political and economic infrastructure of Iraq. Warrick was fired by the Bush Government (on the initiative of Rumsfeld) (Packer, 2003). Many of the Project's recommendations such as the importance of maintaining the Iraqi army were ignored

¹⁴ The Iraqi army was considered to be one of the only unifying force within the society, the Ba'ath Party being the other. The US government policy apparently was to take such a robust action in order to show the Iraqi people that the Saddam regime was gone and would never return. Another major argument against the wholesale dissolution of the army rather than a selective purge at the top was that it created an instant class of enemies: hundreds of thousands of men with military skills, many still retaining their weapons, no longer had a paycheck, or place to work to each day. Forces that could have contributed to security became part of the security threat (Fallows, 2004). The CIA apparently believed that the divisions in Iraq were so deep, and the political culture so shallow, that a quick transfer of sovereignty would only invite chaos (Fallows, 2004:7).

the Ba'ath insurgency would appear to be their best bet (there could be worse groups to emerge out of the Iraqi struggles).

The emergence of Iraq's Shi'i will be closely watched (and felt) by the entire Middle East: on the one hand, those states bordering Iraq and/or with their own substantial Shi'i populations (these include Syria, Saudi Arabia, Iran, Kuwait, Jordan and Turkey); on the other hand, those Arab monarchies potentially threatened by the Iranian anti-monarchy, republican model of Islamic society.

FUTURE POSSIBILITIES AND RISKS: THE EU AS MID-WIFE

The USA and Britain, and their allies will not be able to remake Iraq – or to engage in effective “nation-building.”¹⁵ They lack sufficient legitimacy and support, not to speak of their ignorance about Iraqi (in the Iraqi collective memory, Britain is an old colonial power, which in 1920 poison-gassed and bombed Iraqi towns killing many civilians). Global powers such as the USA and Britain, pursuing their own particular interests, have contributed in the course of Iraq's history to instability and losses and since 2003 to much suffering and destruction in human and material terms through the invasion and occupation.¹⁶

Judging from a less theoretical and historical position, many find it obvious that US (and British) plans for Iraq are not succeeding – and are likely to fail tragically – if the present occupation course is followed, including promotion of the idea of a unitary and secular state.

Iraqis (or significant segments of Iraq) need to build up reasonably legitimate -- or at least acceptable -- authority structure(s) to prepare for a future transition to a more stable state of affairs. This means, above all, to prepare for future multilateral negotiations and the accomplishment of public order. The occupying forces have obviously failed to establish such order. Indeed, they cannot accomplish this -- arguably, they should not be involved at all -- because of the intense nationalist and religious opposition they evoke. The new Shi'i government (led by the United Iraqi Alliance)¹⁷ that is likely to emerge after the elections will have at least four major tasks:

¹⁵ Donald Rumsfeld's skepticism about nation-building in Iraq is insightful and correct

¹⁶ As pointed out earlier, there was resistance to foreigners in Iraq from 1920 until 1955, in Egypt from 1882 to 1956, in Algeria from 1930 to 1962. That is, within the lifetime of every person in the Middle East over 50 years old, there is memory of struggles to expel colonial occupation of one sort or another.

¹⁷ In this short article, we have not addressed the divisions within the Shi'i alliance. Its cohesion depends in part on opposition to Sunni forces. Not only is there the question of Muqtada al-Sadr (and his army) which is outside the alliance although apparently putting up candidates for the election, but the contentious forces within the alliance with substantial different visions or models of the post-election society, for instance, a more theocratic model (supported by Muqtada Sadr and others) as opposed to a more secular, democratic model (with religious leaders remaining out of politics, which was a key principle of Shi'i theology until Khomeini's revolution), .

(I) To begin immediate negotiations with representatives of the Kurdish region as well as of the Sunni region (including insurgent groups). The Sunni insurgents, including Ba'ath contingents, should be encouraged to prepare for negotiations and establishing public order (in "their" areas). One can hope that there is (or will be in the near future) sufficient consolidation of the Sunni region to engage in meaningful negotiations and the maintenance of order. The new largely Shi'i government should stress open negotiations to neutralize or isolate those Sunni and other groups who are disposed to sustained guerrilla war. This would certainly entail acceptance of agents such as insurgent groups, whether they meet the approval of the occupying forces or not.¹⁸ A preliminary Agenda for trilateral or multi-lateral negotiations would consist of at least five major issues: (A) the form of the state (or states) emerging out of "Iraq" (see below); (B) the issue of the rights of minorities in whatever political arrangement is established; (C) the problems of precise boundaries; (D) the distribution of oil, water, and other resources in equitable and potentially stable patterns. As a part of this, formulas for fair and equitable division would need to be defined; (E) the composition and leadership of the international body (or bodies) which would monitor and be available to resolve conflicts not manageable by the three.

(II) To build up a military and police under the Shi'i authority that can maintain minimal public order, at least in the Shi'i areas (as stressed earlier, the Kurds can manage themselves). There will be no general confidence in the American constructed (and "contaminated") army units. These units lack legitimacy and face opposition almost everywhere; even their members have little or no confidence or trust in the units. Not surprisingly, they dissolve in the face of more determined forces.

(III) To negotiate with the USA for withdrawal of its forces as soon as is feasible, at least from Kurdish and Shi'i areas; the new authority could also support negotiations between Sunni insurgents and occupying forces which would lead to the withdrawal from Sunni areas of the occupying (and aggravating) foreign forces.

(IV) To establish the EU as the major international agent mediating and arbitrating the negotiations (the EU has already played a major role as a principal mediator, and in some instances even peace-keeper, in the Ukraine, Iran, Macedonia, and Bosnia). It should, whenever appropriate, involve Turkey, Iran, and possibly Jordan and Russia.¹⁹ The EU is right and proper because it has reasonably good relations with most of the key agents involved or likely to be involved, including the USA. It is

¹⁸ As long as there is an occupying force, Sunni groups cooperate to some degree with Kurds and Shi'i. A major post-occupation risk is that they (or some movements within the Sunni communities) will struggle to re-establish Sunni domination. This possibility supports a confederation or three state resolution of the Iraqi situation (see later). In any case, all sides will have to make compromises and tradeoffs.

¹⁹ Of course, their roles (and interests) are very different. Turkey and Iran are regional powers who are likely to be motivated to play a constructive role for the sake of regional stability. Regional regulation and peace-keeping is an established international practice, and is worth taking up in the context of resolving the Iraqi situation..

also an economic and political force that can provide incentives and sanctions. Turkey and Iran are Muslim countries. Future Turkish membership in the EU is also important in this context; it will increasingly play the role of a potential future member of the EU (and this also concerns Turkish Kurds).²⁰ EU trade and other relations with Iran are also important. A system of incentives including sanctions would have to be part of the construction not only to keep order within Iraq but also to regulate key agents on its borders, non-Iraqi Kurds, Iran, and Turkey.

This proposition recognizes that there is not now a unitary state (indeed, hardly a state) and there may be no stable, unitary state after the elections (except possibly under a dictatorship), as the modern history of Iraq suggests. The new authority – with some but, unfortunately, limited legitimacy -- should be allowed by the occupying powers to build up under its control an army and police forces as quickly as possible (this may include some or all units which the occupying powers have been trying to construct so far (rather unsuccessfully)). Many soldiers and lower officers in the Iraq Republican army were Shi'is, who could be engaged in the new construction. The new authority will have to make the judgments – and take responsibility – for the loyalty, commitment, and discipline of these new forces. The establishment of the forces is one basis for the withdrawal of the occupying forces as quickly as possible – at least from those areas for which the Kurds and Shi'i authority could take full responsibility.

A few comments are called for on the question of the ultimate form of the new “state of Iraq”.²¹

(1) Taking into account the history, the complex configuration of forces -- Kurds, Shi'i and Sunni communities as well as secular Ba'ath groups -- we would argue that the establishment of a strong unitary state will result either in a dictatorship or civil war(s) (Kurd versus Arab, Shi'i versus Sunni, Ba'ath against others).²² Of

²⁰ The reactions (and possibly constructive initiatives) of Turkey and Iran can be decisive in the ultimate success of the negotiations. On the one hand, Turkey is interested in cooperation with Arab-speaking Iraqi. On the other hand, she fears a Kurdish separatist movement. But another powerful Shi'i state on its border would be worrisome. Therefore, she is likely to support single state or possibly federal state solutions. Iran would, of course, gain from the emergence of a Shi'i state or Shi'i dominated state. Traditionally, it has also had strong support among Kurds.

²¹ These possibilities only complement the possibilities discussed in the main text – and they are far from exhaustive. Other visions or paradigms of the future are certainly under consideration by some groups, for instance a unitary religious (Islamic) regime which might or might not overcome the Shi'i-Sunni cleavage but would certainly not fit the Kurds (Sunni but non-Arabic); or the vision of many secular Iraqi, especially those closely associated with the Ba'ath Party and the military; or those Shi'i who envision a union with Iran (although the historical Arab-Persian split would make this vision very marginal, indeed, in spite of the fears of some US policymakers).

²² Rwanda and Burundi provide extreme examples (with mass murders of Tutsi and Hutu) of the risks of unitary, “majority rule” states under conditions of deep cleavages. In general, a unitary (particularly an ethnic) nation-state under conditions of deep societal cleavages has a bloody history.

course, a new dictatorship might be established even under apparent "democratic rule". For instance, the Shi'i majority obtains the expected resounding victory in the coming elections in Iraq and sets up military and police forces under its control, and ultimately uses a combination of patronage and coercion to keep opposing groups in place (as the Ba'ath Party did relatively successfully for more than 30 years).

Such a regime might have a relatively close connection with Iran (a better relationship than with previous regimes which were Sunni). It would also be prepared to cooperate closely with Turkey on the matters of the Kurdish question as well as oil (oil transports from Northern provinces).

(2) Another option would be the division of Iraq into three states, reflecting in part the historical provinces of Ottoman. However, Turkey would be very sceptical about such a solution, but proper regulation of the border on the part of Iraqi "Kurdistan" combined with EU engagement might make for, under proper conditions, a stable arrangement. A generous provision of discounted oil to Turkey could play also a constructive role.

Would the separate states stabilize? This probably would require a substantial external engagement (for instance the EU as well as Turkey and Iran) in the stabilization. It might easily degenerate into warfare with further foreign intervention, or the establishment of a single, unitary state as a dictatorship (for instance, the return of Ba'ath hegemony).

(3) Confederation with a weak but unified presidency, common currency and international protection is an institutional option located somewhat between a unitary state and separate states. In contrast to a Federal state, it requires a minimum capability and authority for central decision-making. Given the deep cleavages in Iraq, a federal system would in our view be highly problematic and unstable. Therefore, a confederation, stabilized by an external organization (consisting of, as in the negotiations, the EU, Turkey, Iran, and possibly Jordan and Russia) would appear to be an optimally stable arrangement under the circumstances.

In sum,

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The Shi'i authority, likely to emerge at the end of this month, should be prepared to recognize and negotiate with agents representing Kurdish and Sunni interests (and powers), making clear that the institutional design of a future Iraq is open to negotiation with an aim to achieve consensus; in particular, it need not be a unitary, majority-rule state. Substantial consensus about the eventual form of the state is essential. Sustained consensus is less necessary in the case of a confederation or separate states than in the case of a unitary or even a federal state. Arguably, the most likely stable government arrangement would be a loose confederation with
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a common currency and with international and regional monitoring for some years to come. But this is a matter of design, not determinacy.

- n In the context of negotiating whether to establish a unitary state, a federal state or confederation, or separate states, the major issues of the rights and protection of minorities (not only Shi'i, Sunni, and Kurds but Turkmen, Assyrians, other Christians, Jews, and Persians), boundaries of regions, and rights to and distribution of resources, oil, and water would have to be systematically addressed in any case. Ideally, oil revenues and territory should be de-coupled and a system of sharing fairly petroleum income devised – this would reduce the “territorial stakes” in the multi-lateral negotiations.
- n Trilateral negotiations should take place possibly under international supervision – in particular, the EU -- not only to pre-empt escalating conflicts but to facilitate attention to legitimate regional and international interests in the contents of any agreements.
- n The occupying forces should leave as quickly as is feasible. Withdrawal is essential to the process of building up legitimate Iraqi authority and forces of order and to conducting difficult societal negotiations.²³
- n The US will obviously be directly or indirectly involved in the post-occupation negotiations, but their engagement should be minimized. The key agents should be the EU together with Turkey and Iran. Iraq will remain unstable for a time, but the Turkish and Iranian governments can play important roles in preventing violent confrontations among Sunni (but not Kurdish) and Shi'i Iraqi groups, respectively, something that the US and its allies cannot accomplish (except by serving as the common hate object of the different groups). The risk of one form or another of civil war(s) – and how best to handle them -- must be a major consideration of the mediating agents (the EU and others such as Turkey and Iran) who become engaged in the post-occupation developments.
- n Undoubtedly, some in the current US Government may want to reject some or most of our arguments. But many foresaw some of the critical problems pointed out by us and witnessed globally. Experts on the cultures, history, politics, and languages of the region stressed that an Iraqi invasion would not serve the interests of the USA (nor the interests of others, not least the Iraqi themselves as well as other countries in the region). It was anticipated

²³ This proposition runs counter to that of some (for instance, Dr. Michael Donovan at the Center for Defense Information) who stress rightfully the sectarian and ethnic animosities in Iraq, but does not recognize existing structures (and structural potentialities) to build-up or extend institutions, especially on the part of a Shi'i authority complemented by the Kurdish authority. So, the appearance of “total chaos” is the perception of outsiders. Moreover, inter-group negotiation has an important role to play, particularly if there is openness about the future governmental form(s) of the region of Iraq.

that it would be difficult to occupy a vast, complex country like Iraq, that significant resistance from many segments of the population was likely, and that invasion and occupation would make for difficulties in the relations with other countries in the region.

Our arguments suggest a way out. The window of opportunity is narrow, however. Three major groups of agents are participating in a dance of life and death: the Iraqi groups that should engage in multilateral negotiations, the EU (particularly (but not only) Britain, France, and Germany, and the EU candidate Turkey) that should assist mediation and, ultimately, peacekeeping, and finally the USA and its allies. The key is for the US leadership to recognize: first, there is no "Iraqi nation"; second, legitimate authority and public order must emerge from within Iraqi society, starting with the Kurdish and Shi'i regions setting the stage for multi-lateral negotiations and the formation of new order(s); third, the outcome of these difficult processes – whether one state or two or more, whether Islamic dominated or secular with Ba'ath Party resurrection -- will probably not be to the liking of some or many outside Iraq. However, death and destruction on all sides may be reduced significantly and the likelihood of establishing stable and democratic order(s) increased.

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