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Iraq

Comparative National Systems



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Introduction

This report considers the comparative politics of Iraq using the SPECIPIO framework for comparative political analysis. The country is divided into 18 governates and provinces, three of which jointly constitute the northern region of Kurdistan. Between 1979 and 2003, Saddam Hussein, a personalistic dictator, and his Baath party, ruled the country. On 20 March 2003, a coalition of mainly British and American forces invaded Iraq.¹ Intensive physical – and political reconstruction efforts followed the invasion. Although there have been several meaningful elections, and a number of institutions emerged, the key story to tell is that Iraq is one of the world’s most prominent failed states. A sub-theme running through all aspects of this analysis is the sectarian divide and mistrust between the Sunni Arabs (“Sunnis”), Shi’a Arabs (“Shi’as”) and the Kurdish minority in the north.

Stateness

Iraq is a failed state, as illustrated by its 6th rank in *Foreign Policy’s* 2009 [Failed States Index](#).² The key failure is the government’s inability to control violence. This does not only affect all other measures in the SPECIPIO framework, it also renders stateness the single most important aspect of Iraqi politics. For example, descriptions of the regime, institutions and political parties help explain how the state’s powers are *used*. However, in a failed state, the more important question is what can be done to *increase* the state’s powers.

The termination of Saddam Hussein’s government removed the only organization that had both a claim to power and the ability to enforce its will. The plan for reconstructing the state was to transition in three phases: American-led interim government, Iraqi-led interim government and finally a democratically elected government.³ The first-phase government, the Coalition Provisional Authority (“CPA”) adopted the [Law of Administration for the State of Iraq For the Transitional Period](#) in March 2004. This law

¹ Haas, R.N. (2009). *War of Necessity, War of Choice: a memoir of two Iraq wars*. New York: Simon & Schuster: p. 246.

² Foreign Policy (2009). “Failed States Index”. *Foreign Policy*, 2009.

³ The Economist (2003). “Fighting For Authority”. *The Economist*, April 11, 2004.

provided for the transition of power to an interim Iraqi government, in accordance with [UN Security Council \(“UNSC”\) resolution 1483](#).

The law broke the interim government’s rule in two periods. The first started 28 June 2004, when power was transferred to the Iraqi Interim Government under Prime Minister Ayad Allawi, which prepared the January 30, 2005 elections. In these elections, Iraqis elected the 275 members of the transitional National Assembly, which formed an executive, headed by Prime Minister Al-Jafaari and President Talabani. This was the second interim Iraqi government and it was burdened with drafting a new Constitution. The [Constitution](#) was adopted by popular referendum in October 2005, despite Sunni efforts to defeat the document. Elections for the Council of Representatives (“CoR”), as the National Assembly was to be called, were then held on December 15, 2005. The CoR initially appointed Ibrahim Al-Jafaari as Prime Minister, but he was replaced by Nuri Kamal Al-Maliki due to infighting in his United Iraqi Alliance. Talabani was confirmed as continued President.⁴

Important state building steps had thus been taken: a set of organizations with a claim to power and at least some democratic legitimacy had emerged. However, until today the state authorities have failed to perform even the most basic task: providing security. Especially since American forces withdrew from cities and towns in June 2009, Iraqi security forces have struggled to maintain peace. The situation is so dire that the government cannot even protect itself in Baghdad, as proved by deadly attacks on three government buildings in October 2009.⁵

There are both top-down and bottom-up explanations for the state-building failure. The invasion led to a debate about whether Iraq should remain unified, or be broken up along sectarian lines. Leslie Gelb, Board Senior Fellow of the Council on Foreign Relations argued in a [November 2003 Op-Ed in the New York Times](#) that the three groups are so fundamentally divided that a three-state solution is the only way to achieve peace. This option would build on the successes of the Kurdish region, which already has its own parliament, flag and even security forces. Others saw an opportunity in Iraq’s divided past to ensure strong checks and balances in a united Iraqi federation.⁶ Peter Galbraith, Iraq expert at the Council on Foreign Relations, took an intermediate position. He argued in a 2004 [interview](#) that, although a truly unified Iraq was not an option, the country could become a loose federation.

The authors of the Constitution decided that Iraq should be a federation (article 1). However, the division between central and regional powers was left unclear. Article 65 calls on the CoR to create a Federation

⁴ Katzman, K. (2009). “*Iraq: Politics, Elections and Benchmarks*”. Congressional Research Service report, available at <http://www.fas.org/sgp/crs/mideast/RS21968.pdf>.

⁵ Leland, J. (2009). “Scattering of Attacks in Iraq”. *New York Times*, November 1, 2009, available at <http://www.nytimes.com/2009/11/02/world/middleeast/02iraq.html?partner=rss&emc=rss>.

⁶ Dawisha, A. and Dawisha, K. (2003). “How to Build a Democratic Iraq”. *Foreign Affairs*, Vol. 82, No. 3 (May-June), pp. 36-50.

Council, that is to represent the regions. However, because the Federation Council is still to be created, those favoring either a centralized or loose federation still have much to gain by establishing precedent of legislative dominance of the level of government they favor. The resulting political conflicts between different levels of government are part of the top-down explanation of the state-building difficulties. A second factor is the enormous diversity of political parties (see “Party Families”). This plurality makes it more difficult to reach a consensus on state-building strategies. A third top-down factor is the state of the Iraqi Security Forces (“ISF”). If politicians cannot eliminate insurgencies by incorporating dissenting views into the political process, control of violence largely hinges on the strength of the army. However, the ISF are underequipped and still unbalanced in terms of the sectarian backgrounds of its members,⁷ which reduces its legitimacy and ability to prevent violent attacks.

The most important bottom up reason for the state’s failure is the strength of the various violent insurgencies. Although the front is divided, some key groups may be identified. The Sunni insurgency began as a reaction against the sect’s loss of power (see “Culture and History”) and resistance against the occupying forces and the regime they established. It also attacked Shi’as for “allying themselves with the Christians and Jews”. A second group is the Al Qaeda insurgency, which seeks to eliminate secularism and polytheism. Crucially, they consider Shi’as *rafidah* (rejectionists) who should be eliminated. Therefore, Al Qaeda in Iraq has been violent against Shi’as and has carried out attacks against civilians and several Shi’a holy sites. Shi’a militia, led by Muqtada Al-Sadr, later joined the fight against the coalition forces and also engaged in attacks against Sunnis. The mutual ethnic cleansing that followed nearly resulted in a full-fledged civil war between Sunnis and Shi’as.

Several steps have been taken to curb the violence. In 2005, several Sunni leaders created awakening councils (see “Party Families”), which aim to end Sunni cooperation with Al Qaeda and fight insurgents. Al-Sadr’s militia has effectively been dismantled. And indeed, violence levels had been on decline until the withdrawal of US forces from cities and towns in June 2009.⁸ However, as the October bombings of government buildings illustrates, violence is not under control. The key question is therefore whether the country will slide back into further violence, or if a future government will seize control.

Political Regime

The political regime is very much a work in progress. Political struggles are ongoing between the federal and local governments, and both levels of government fight armed militias that aim to undermine the current regimes altogether. Therefore a classification of “the political regime” would deny that different regimes are in place in different places, or sometimes even at different times in the same places.

⁷ Katzman, K. (2009). “Iraq: Post-Saddam Governance and Security”. Congressional Research Service, available at http://assets.opencrs.com/rpts/RL31339_20091028.pdf.

⁸ Hashim, A.S. (2009). “Iraq’s Sunni Insurgency”. International Institute For Strategic Studies.

Before the 2003 invasion, the country lived under the personalistic authoritarian regime of Saddam Hussein. The 2005 Constitution proposes that the country should become a federation, governed as a parliamentary democracy (article 1). Iraq has a Prime Minister, as well as a President and two Vice Presidents.⁹ Meaningful elections have been held, including the January and December 2005 national elections and the 31 January 2009 provincial elections in all provinces outside the Kurdish areas.

However, neither a Constitutional claim to democracy, nor meaningful elections are sufficient grounds to conclude that a country is democratic, since elections are of little use without simultaneous protection of political rights and civil liberties such as the freedoms of expression and association.¹⁰

The Freedom House democracy report and the Economist Intelligence Unit (“EIU”) democracy index – two influential democracy measures, agree in their most recent analyses that Iraq is not a democracy. The [2009 Freedom House Report](#) categorized the country as “not free”. It classified Iraqi’s political rights and civil liberties as “very restricted” and similar to countries ruled by autocrats, military dictatorships or religious hierarchies, which feature limited expression and association rights, as well as political imprisonment. The [2008 EIU Democracy Index](#) was more positive, and concluded the country had a “hybrid” regime – a classification between “flawed democracy” and “authoritarian”. However, with its 116th place, Iraq performed only slightly better than number 117, authoritarian Jordan. However, as the [April 2009 EIU country report on Iraq](#) pointed out, this placed Iraq fourth highest in the Middle East and North Africa. The EIU is more positive about the elections than the Freedom House, with moderately high¹¹ *electoral process* – and *political participation* scores, although both ratings agree that civil liberties are restrained. The most significant low score is in the *functioning of government* category, which illustrates the importance of stateness.

The weakness of the state and the violent challenges posed by the various insurgencies are a key reason why Iraq should not be classified as a democracy for two reasons. First, the attacks limit the government’s efficacy, and therefore the people’s ability to govern themselves. Second, the violence impedes the people’s freedom to express their opinions without fear of repercussions. Therefore, an increase of violence in the run-up to the 2010 elections would bring the prospect of full-fledged democracy further away.

Economic Development

The condition of Iraq’s economic development has three key political implications. Poverty and high unemployment negatively affect the security situation and therefore state-building efforts. The

⁹ Economist Intelligence Unite (2009). “*Country Report: Iraq*”. Economist Intelligence Unit, October 2009.

¹⁰ See for instance Dahl, R. (1998). “*On Democracy*”. Yale University Press, 1998.

¹¹ Interpretations of scores by April 2009 EIU country report on Iraq.

significance of the oil industry to the country's GDP gives rise to substantial disputes about the control of this resource. And thirdly, the inflow of foreign aid has granted foreigners the opportunity to interfere in Iraqi politics.

According to [OPEC statistics](#), GDP per capita in 2008 was USD 3,464. However, this average fails to reveal that a significant share of the population lives in poverty. In a [2007 Oxfam report](#), 43 percent of the population was estimated to live on less than one dollar per day, a measure of extreme poverty. A [May 2009 government survey](#) found that 20-25 percent of the population lives in poverty, which was defined as "less than 2.20 dollars per day". Both reports agree that poverty is concentrated in some regions rather than spread equally across the country. Although security challenges mean that both studies may suffer from inaccuracies – indeed, the difference between the reported poverty levels seems rather large – it may be concluded that, despite significant improvements over the past years, poverty is a substantial problem.

A related problem is unemployment. A [January 2009 UN report on the Iraqi labor force](#) found that, despite an expansive public sector, unemployment stands at 18 percent. A further 10 percent of the work force involuntarily works only part-time. Among males between the ages of 15 and 29, unemployment is much higher, at 28 percent. The limited economic prospects of especially the country's youth increase the probability that they will seek to challenge the political status quo and improve their conditions by participating in insurgencies. Also, political motivations aside, the insurgent groups may form a much-needed source of income for some. Thus, the uneven levels of economic development threaten security and therefore state-building efforts.

The Iraqi economy relies extremely heavily on oil. In 2008, oil accounted for 97.7 percent of exports and 58 percent of GDP. The main importers in that same year were the United States (33.7 percent), China (29.6 percent) and the European Union (17.4 percent).¹² Political theory tends to look unfavorably at the democratic prospects of oil exporting nations.¹³ Indeed, control of the oil industry was an important tenet of Saddam Hussein's power. Therefore, disputes about who controls the industry, and what should be done with the revenues are an important dividing factor (see "Ownership").

Another major source of income is foreign aid. According to a [report published by the Special Inspector General for Iraqi Reconstruction \("SIGIR"\)](#), the United States alone has spent over 50 billion dollars on reconstruction since the invasion. Projects included training Iraqi army and police, rebuilding the country's infrastructure – including the oil industry – and programs to support democracy and the rule of law. Also other members of the international community made substantial contributions, mainly through the UN International Reconstruction Fund Facility for Iraq, which received 687 million USD from the EU,

¹² WTO. "Statistics Database: Iraq", available at <http://stat.wto.org/CountryProfile/WSDBCountryPFView.aspx?Language=E&Country=IQ>, accessed 3 November 2009.

¹³ Ross, M. "Does Oil Hinder Democracy?". *World Politics*, 53 (April 2001), pp. 325-361.

491 million USD from Japan and 126 million USD from the UK.¹⁴ The allocation of these reconstruction funds has impacted Iraqi politics in at least two ways. The direct sponsorship of democracy enhancing projects, including elections, helped develop democratic practices and institutions. An unofficial, but undoubtedly real effect is that being Iraq's main beneficiary gave the US at least some influence on political decisions about how to rebuild the state and its institutions.

Culture and History

Iraq has a rich cultural heritage and complicated history. Although the implications of this are felt throughout contemporary (political) society, three factors stand out. First, there is a strong sectarian divide between the three key population groups: Sunnis (15-20%), Shi'as (60-65%) and Kurds (15-20%).¹⁵ Sunnis and Shi'as are divided along religious lines and should be distinguished from the Kurds, a non-Arabic minority living in the north. Kurds share their national identity with Kurds living in Iran, Syria and Turkey. The creation of an independent Kurdistan in Iraq is therefore especially contentious because of the implications this may have for the aspirations of Kurdish minorities elsewhere.¹⁶ The implication of these divides is that it has proved difficult to bring these groups together in a unified state. Establishing a democracy is especially challenging since the Shi'a majority is large enough to overrule the Sunnis and Kurds if every citizen's vote is given equal weight and every vote is cast along sectarian lines.

This diverse group of people was brought under central rule in what we now know as Iraq through a 1920 British mandate of the League of Nations. The British favored the Sunni minority over the Kurds and Shi'as. When their mandate ended in 1932, the Sunni minority remained dominant in the newly sovereign Iraqi Kingdom. The monarchy was overthrown in 1958 by a military coup, which was followed by political turmoil. Then, in 1968, the Arab nationalist Baath party seized power.¹⁷ The revolutionary leader, Ahman Hussan Al-Bakr, was succeeded in 1979 by his second man, Saddam Hussein, a Sunni. Hussein's rule was based on violent suppression of his opponents. He quickly began eliminating Shi'a Muslims from high positions, until they were only a small minority among high-ranking officials in the 1980s. Hussein's cruel handling of the Kurdish region included the use of chemical weapons against the Kurds on several occasions in the 1980s.¹⁸

A second important political factor coming forth from the country's culture and history is therefore the fundamental mistrust between the three groups. After the invasion, the CPA outlawed the Baath party,

¹⁴ Fifield, A. "UN shifts to advisory role in Iraq" *Financial Times*, April 1 2009.

¹⁵ Cordesman, A.H. (2003). *The Iraq War: strategy, tactics, and military lessons*. Washington, DC: Center For Strategic and International Studies, pp. 536-540.

¹⁶ McDowall, D. (2005). "Political Prospects of the Kurds in the Middle East". In: Ahmed, M.M.A. and Gunter, M.M. (eds.) *The Kurdish Question and the 2003 Iraqi War*. Costa Mesa: Mazda, pp. 1-16.

¹⁷ Although the party had made an earlier attempt to seize power in 1963.

¹⁸ Marr, P. (2004). *The Modern History of Iraq*. Boulder: Westview Press.

and commissioned a national de-Baathification Commission, causing 15,000 government officials to lose their jobs. Not only did this sacrifice much-needed government experience, it also alienated Sunni Muslims. This alienation was one of the factors leading to widespread Sunni insurgency and later ethnic cleansing and near-civil war between Sunnis and Shi'as. The question of how to deal with former Baathists while keeping the Sunni minority from feeling alienated from the political process is therefore crucial to building peace.¹⁹

A third factor is the country's history of military conflict with its neighbors. In September 1980, soon after the 1979 Iranian revolution, Saddam Hussein ordered his troops to invade Iran. Iran is largely populated by Shi'a Arabs, and Hussein's regime therefore felt threatened by the possibility of the revolutionary spirit spilling over into Iraq and overthrowing his Sunni-dominated government. Hussein used his chemical weapons also against the Iranians. The conflict resulted in severe casualties on both sides and lasted until August 1988, when both sides agreed to [UNSC Resolution 598](#). This history is an explanation of Iran's ongoing concern with political developments in Iraq, as well as Sunni mistrust of Iranian influence.²⁰

Soon after, a second war erupted. Iraq had accused Kuwait of flooding the oil market and driving down prices. Also, there was a dispute about production from a field in the border region. On 2 August 1990, Iraqi forces annexed Kuwait and declared it Iraq's 19th province. This sparked international outrage and led to [UNSC Resolution 678](#), authorizing the military intervention that would come to be known as the Gulf war. Although the Iraqis were defeated and retreated from Kuwait, the coalition forces – back then – stopped short of removing Saddam Hussein.²¹

Institutions

Since the invasion, various institutions have successfully been created. However, the political scaffolding is yet to be removed from important parts of the project. Crucially, in order for the January 2010 election to proceed, an election law must be passed very soon.

Under article 48 of the Constitution, the legislative power rests with the 275 seat [CoR](#) and the Federation Council. However, until the CoR establishes the latter (article 65), the country has a unicameral parliament. The creation of the Federation Council is a contentious issue because it would involve determining the relative power of the two chambers. As the Federation Council represents the regions and the members of the CoR are chosen in national elections, the loose – versus stronger federation debate (see “Stateness”) lies at the heart of the issue and explains why the Federation Council is yet to be created.

¹⁹ Otterman, S. “Iraq: Debaathification”. Council on Foreign Relations, April 7, 2005.

²⁰ Hiro, D. (2001). “Neighbors, not Friends: Iraq and Iran after the Gulf Wars”. London: Routledge, pp. 1-29.

²¹ Murray, W. and Scales, R.H. jr. (2003). “The Iraq War: a military history”. Cambridge, MA: Harvard University Press, pp. 1-14.

The CoR elects the President, who appoints the Prime Minister and two Vice-Presidents (articles 67 and 70). The Prime Minister-elect is drawn from the largest bloc in the CoR and forms the Council of Ministers, subject to approval by an absolute majority of the CoR. The Council of Ministers constitutes the executive branch, together with the President and his two Vice-Presidents (article 66). There is a Federal Supreme Court, which is the ultimate authority on Constitutionality (article 93).

There are two issues at stake in the election law debate. The first is how to organize elections in Kirkuk. If any one party wins a majority in oil rich Kirkuk (see “Ownership”), this will validate the corresponding sect’s claims over this city. Therefore, each party tries to increase its corresponding sect’s chances of gaining control over Kirkuk through the election law’s design.

The second issue concerns the question whether to use an open – or closed list Proportional Representation system. The 2005 national elections used a closed list system, meaning that voters select parties, but are unable to alter the order of the candidates on the party lists. Party lists are then allocated the same proportion of seats as they received votes.²² Under the 2008 election law, provincial elections in 14 out of the 18 regions are based on an open list proportional representation system.²³

On 8 November 2009, parliament passed an election law, which seemed to pave the way towards the 2010 elections. The law prescribed an open list proportional system and the issue of Kirkuk became subject of a yearlong review process.²⁴ However, on 18 November, Vice President Al-Hashemi, a Sunni, vetoed the bill due to the – in his opinion – low level of special representation for displaced people – in practice mainly Sunnis. This again jeopardized the 2010 elections since elections require an election law.²⁵

Party Families

The political landscape is typified by an enormous number of parties, who are largely divided along sectarian lines. This has two major implications. First, pre-election coalition forming has been an integral part of the election process. Second, because sectarian interests are still so important there is much scope for further interest aggregation.

To register a political party requires 500 signatures and payment of a small registration fee.²⁶ This low threshold allowed the number of parties to explode since the invasion. Despite being incomprehensive

²² IHEC (2009). “*Electoral System*”. Available at http://www.ihec.iq/english/electoral_system.htm.

²³ The other four provinces include those constituting the Kurdish region, which has its own election laws, and Kirkuk.

²⁴ Londono, E. (2009). “Iraqi Politicians Pave Way For Elections”. *Financial Times*, November 8.

²⁵ BBC (2009). “Iraqi VP Vetoes New Election Law”. *BBC online*, 18 November, available at http://news.bbc.co.uk/2/hi/middle_east/8365801.stm.

²⁶ IHEC (2009). http://www.ihec.iq/English/political_entities_candidates.aspx.

due to the large number of parties, a [2009 overview of Iraq's Political Landscape](#) by the Council on Foreign Relations is a good guide.

The current President is Nouri-Al-Maliki. Although he heads the originally Shi'a Dawa party, Maliki is seen by many as one of the least sectarian, most nationalist politicians. A more sectarian Shi'a party is the Islamic Supreme Council of Iraq ("ISCI"), which in 2005 received the blessing of Grand Ayatollah Ali al-Sistani. Then there is the National Reform Trend, a party formed by Ibrahim Al-Jafaari, the Shi'a politician who was replaced by Maliki as Prime Minister. The Islamic Virtue Party, or Fadhila, stands for local autonomy and control over oil reserves. A last Shi'a party is the Sadrist current. It is connected with cleric Muqtada Al Sadr, who became known internationally when coalition forces fought his Mahdi army.²⁷ However, the troop surge and internal competition have largely fragmented the organization, and its members were effectively banned from participating in the January 2009 Provincial elections.²⁸ The two Kurdish parties, KDP, headed by Kurdish President Barzani, and PUK, led by national President Jalabani, have a history of forming alliances in both Kurdistan and at the national level. On the Sunni side of the specter, an early party to embrace the democratic process was the Iraqi Islamic Party ("IIP"), led by Vice President Tariq Al-Hashimi. A second Sunni group, the Awakening Councils, stems from the August 2006 decision by sectarian leaders in the Anbar province to publicly divorce themselves from Al-Qaeda's objectives in Iraq. They created their own security forces, Sons of Iraq, which were later integrated into the Iraqi army. The Awakening Councils party is the collective of Sunni leaders across the country who followed the way led in Anbar. However, there are reports of substantial internal disputes among the various leaders in the group. Although these are some of the main parties, it cannot be overemphasized that there are many more: 14,400 candidates, representing over 400 parties, stood in the February 2009 provincial elections²⁹ – and those were only held in 14 out of 18 provinces.

A first implication of this diversity is that coalition forming is not only important *after* the elections, but also precedes the vote. For example, the United Iraqi Alliance ("UIA"), the Shi'a group winning the largest share of the 2005 vote, really was a coalition of 22 different parties.³⁰ Yet, coalitions are fluid, as is shown by the announcement that UIA will be split into the United Iraqi Alliance and the Iraqi National Alliance for the 2010 elections.³¹ This is one of the reasons why the election law is so important: unlike a closed system, an open system allows voters to pierce through much of this pre-election party politicking.

²⁷ The Economist ((2007). "Iraq: most turbulent and puzzling of priests". *The Economist*, April 12, 2007.

²⁸ Cochran, M. "*The Fragmentation of the Sadrism Movement*". Institute For the Study of War, January 2009, available at <http://www.understandingwar.org/files/Iraq%20Report%2012.pdf>.

²⁹ Krauthammer, C. (2009). "Iraq: Good News is No News". *Washington Post*, Friday, February 13, 2009.

³⁰ BBC (2004). "Iraqi Shias unveil poll coalition". *BBC*, Thursday, 9 December, 2004. Available at http://news.bbc.co.uk/2/hi/middle_east/4082435.stm.

³¹ Economist Intelligence Unit (2009). "*Country Report: Iraq*". EIU, October 2009, available at http://www.eiu.com/report_dl.asp?issue_id=1714942356&mode=pdf.

A second implication is the scope for further interest aggregation. One of the functions of political parties is to aggregate voters' interests.³² However, the multitude of parties suggests that they are currently not doing a very good job at this. The pre-election coalition forming process can be seen as an alternative form of interest aggregation, where a coalition of independent parties leaves more room for interest groups to run independently again if they are unsatisfied with the coalition than a unified party does. Therefore, coalition forming is a more cautious approach to interest aggregation than consolidating parties. A major question is whether politicians will continue to primarily seek support from their traditional bases and maintain the large number of parties, or aggregate interests within and especially across sects. A hopeful sign that the latter may be the case is that the February 2009 provincial elections saw large gains for parties that transcended their traditional roots.³³ Nevertheless, some authors argue that interest aggregation is fundamental incompatible with the mindset of Iraqi politicians.³⁴

International Influences

The influence of the coalition forces is rapidly declining, although it remains strong in absolute terms. This development may be an opportunity for other groups, such as the UN or the country's neighbors to enhance their influence in Iraq. Meanwhile, only few NGO's have been set up in the country.³⁵

The ongoing presence of foreign military personnel has been the most important influence since the invasion. Their task was to protect the state-building efforts and prepare the country for its independence. However, their numbers are diminishing. Britain pulled most of its troops out in July 2009.³⁶ US President Obama announced in a [February 2009 speech](#) that the US would end its combat mission by August 2010, although some forces will stay behind to consult the ISF. US troops had already retreated from cities and towns by June 2009.

About two months after the invasion, the UNSC repealed its sanctions on Iraq through resolution 1483, while simultaneously giving its blessing for the CPA.³⁷ In resolution [1511](#), the Council explicitly authorized "a multinational force under unified command to take all necessary measures to contribute to the maintenance of security and stability in Iraq", justifying the coalition forces' rule. The United Nations Assistance Mission for Iraq ("UNAMI") was established by resolution [1500](#) and instructed to help the provision of emergency relief and aid especially the political reconstruction process. However, on 19

³² Almond, G. [et al.]. (2007). *Comparative Politics Today: a theoretical framework*. New York: Pearson Longman, pp. 105-132.

³³ Krauthammer, C. (2009).

³⁴ Bruno, G. "Iraq's Political Landscape". *Council on Foreign Relations*, February 5, 2009, available at http://www.cfr.org/publication/18411/iraqs_political_landscape.html#p3.

³⁵ The Economist (2009). "Bombs and Politics in Iraq: no end in sight". *The Economist*, October 29, 2009.

³⁶ BBC (2009). "Nearly all British troops pulling out of Iraq". *BBC*, July 28, 2009.

³⁷ See for instance <http://www.cfr.org/publication/8471/>.

August 2003, a bomb attack on the Canal Hotel in Baghdad claimed the lives of 22 UN staff and left over 100 injured. The UN therefore withdrew all its foreign personnel until 2007, when it slowly began increasing its presence. Currently, about 170 non-Iraqi and 420 Iraqi UN staff members are active in the country. While UNAMI continues its efforts, security challenges hamper its efficacy.

A more concealed form of foreign influence is the financial and political backing certain groups receive from governmental and non-governmental groups outside Iraq. For example, in January 2007 the US military arrested five Iranian officials based on suspicions of supporting terrorism in Iraq. When they were transferred to the – Shi'a-dominated – Iraqi government, they were returned to Iran without trial, which some analysts argue was due to the government's close relationships with Shi'a Iran.³⁸ This example illustrates the wider point that forces in the region have varying degrees of influence over Iraq.

Ownership

The big ownership debates concern the oil industry, which produced 58 percent of GDP in 2008. There are three key issues: Kirkuk, influence over production and access to revenues.

The status of the oil rich city of Kirkuk is so heavily disputed that it was one factor preventing the passing of a national election law (see "Institutions") and a separate article in the Constitution is devoted to the matter. Especially since Hussein's Arabization efforts the area is not clearly associated with any one sect. Article 140 of the Constitution therefore calls for a referendum in the city on its status. However, even holding the census that must precede the referendum would be so dangerous to organize that it is yet to take place.³⁹

A second major issue is who will be in charge of producing the oil and gas. Many International Oil Companies ("IOCs") want to secure access to the country's resources. However, the oil Ministry has been very slow at awarding production licenses. In light of this hesitation at the national level, the Kurdistan Regional Government has controversially passed its own oil and gas law and signed production agreements with several IOCs, which were disputed by the national government.⁴⁰ The government has so far auctioned several fields to various IOC's including BP, CNPC, Shell and Italy's ENI. A further auctioning round, for ten fields, is slated for December. However, with elections to follow soon after, selling Iraqi oil to foreigners may not be high on politicians' agendas. Like in many other oil producing

³⁸ Bozorgmehr, N. (2009). "Iran threatens action on officials". *Financial Times*, July 12, 2009.

³⁹ Nordland, R. (2009). "Now it's a census that could rip Iraq apart". *New York Times*, July 25, 2009, available at <http://www.nytimes.com/2009/07/26/weekinreview/26nordland.html>.

⁴⁰ Financial Times (2008). "Iraq sidesteps oil law impasse". *Financial Times*, February 6, 2008.

countries, the government has also set up a National Oil Company, which will be run by the Oil Ministry and is likely to be favored by Iraqi politicians over the IOCs.⁴¹

A next question is how to allocate the revenues. Most proven reserves are in Shi'a areas in the south, while the Kurdish region offers the best prospects for future drilling.⁴² Therefore, if revenues were shared equally between the three groups, this would amount to cross-subsidization. Yet, the Constitution requires exactly this in articles 111 and 112. These articles also stipulate that the Federal and Provincial governments should manage the industry together. However, what such cooperation and profit sharing should look like will continue to be a bone of contention.

Conclusions

Despite the emergence of political parties, institutions and several meaningful elections, the key story in Iraqi politics remains that the state has failed. The authorities' main challenge is to control the violent insurgencies, especially now that foreign military forces are rapidly withdrawing. If elections are held in January 2010 as planned, maintaining security may prove particularly challenging in the coming months.

The most important political challenge at this point is to pass an election law in time for the January 2010 elections to proceed. If these elections do not take place, this will undermine the legitimacy of any governing force and therefore threaten the fragile beginnings of an Iraqi state. However, the three sects remain divided concerning most political issues, including the election law.

Yet, there are reasons for optimism. Several insurgent groups have been integrated into the political process in the past. The country has a Constitution, and has held several meaningful elections. Coalition forming may be a first step along the way to further interest aggregation among parties and possibly even the rise of sect-transcending national parties.

One of the most optimistic reasons for the invasion was the hope that Iraq would become an example in its region of a functioning, democratic state.⁴³ For now, the country does not even have a functioning state. Only history will tell whether the January 2010 elections will go through and whether a new government will finally be able to contain violence. However, if the state does strengthen, this state will be well equipped to become the functioning democracy that optimists hoped for. Iraq is already ranked the fourth most democratic country in the Middle East and North Africa by the EIU, and would have ranked higher if the state were stronger. Therefore, unless sectarian violence exacerbates, the state weakens

⁴¹ The Economist (2009). "Iraq and its Oil: deterring foreign investors". *The Economist*, September 24, 2009.

⁴² BBC (2009). "Breakthrough in Iraq oil standoff". *BBC*, 27 February, 2007.

⁴³ Hahn, P.L. (Oct., 2003). "Teaching the War in Iraq". In *OAH Magazine of History*, Vol. 18, No. 1, pp. 51-55.

further, and the country slides into civil war, all hope is not lost for a beacon of democratic hope in the Middle East.