



Comparative Politics - Essay 3

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The ouster of the authoritarian Sadaam Hussein regime by the contentious US army insurgency elicited debate as to the aftermath of the post-war reconstruction in Iraq. There was the uncertainty of the prospects of economic and political success in the war-torn state, given the devastating extent to which the invasion had had on the country's infrastructure, social and political orientation. The US was the sole orchestrators of the regime change and had a significant role to play in the reconstruction. Immediate focus was on ensuring that law and order returned to the state, establishing interim control over the country, providing aid and relief to the citizens who had long suffered the effects of the war, setting Iraq on its economic foothold, and most importantly, setting mechanisms for the establishment of new democratic institutions. The latter would prove to be the hardest task because of the eroded structural mechanisms of governance and differences in regional and ethnical perspectives of what a democratic institution entailed and who would be the head of the institution (Rydgren, Sofi, & Hällsten, 2017). This brings to light the concern of balanced representation and equality, important aspects of democratic governances that Sadaam's regime had denied the Iraqi citizens. The ethnic and sectarian diversity would present a great challenge to the governance system, with each faction opposing the other. It would, therefore, be prudent to set up a federal system of government in Iraq, comprised of a national and regional governments founded on the existing provincial boundaries.

Ethnic and Sectarian Conflicts

The schism between ethnic groups in Iraq – Arabs, Kurds, and Turkmen – and the Muslim factions – Shia and Sunnis, is one of the greatest hurdles to establishing a democratic regime and institutions in the country. The divide is deeply entrenched in the demographic

groups across the country and has fuelled tensions, violence, and the fall of some regional and national governance systems in the nation's history. Historically, the Sunni-Shia conflict has primarily been instigated by contention on theological, doctrinal, and political issues (Al-Qarawee, 2014). Some analysts point out that the divide arises from a combination of cultural, social, and geopolitical transformations. Historical evaluation dates back to the establishment of the Islamic Republic of Iran in 1979, which involve the creation of a government intended to include the then disenfranchised Shia Muslims (Al-Qarawee, 2014). Centering the system of government on Shia theology aimed to create a balance of power in the region. As a result, there was a sense of distinct identity of the Shia community in Iraq. Over the years, the Shia community has progressively become more organized and grown stronger, increasing its capability of mobilizing and orchestrating revolts and violence against their perceived detractors. The fact that Saddam's regime was dominated by Sunni extremist further served to widen the schism in the country, creating political sectarianism by alienating the Shia community (Rydgren, Sofi, & Hällsten, 2017). The outcome was attempts by the Shia to consolidate their members and take power from the regime, even if part of it.

The factions in Iraq are not monolithic. There are splinter groups within the communities, which also compete for prominence and power. Some of the groups often have limited recognition and power within the community, compelling them to use communal fears and intimidation in seeking recognition. Within these sub-sects, their main emphasis is often on victimization and majority rule, factors which are usually strongly opposed by those who hold power within the communities (Rydgren, Sofi, & Hällsten, 2017). This also points out that establishing democratic regional and national institutions will not only focus on the inter-community divides but also on the intra-community divisions. While these might be perceived as

subtle contentions, the unity of the community and consequently, national cohesion is contingent on consolidating all the groups within the community. This, however, largely involves the efforts of the community members as it is upon them to decide on their organizational hierarchy. The international community has little role to play in bridging the intra-community gaps, mainly overseeing the progress and ensuring that law and order are enforced.

Historically, the Sunni Arab community is known to have a dynamic sectarian identity. Major Sunni provinces like Anbar and Mosul have been proponents for Arab nationalism, which served to conceal the dominance of the community in previous regimes and was intended to create homogeneity with the Shia majority (Al-Qarawee, 2014). Unlike the Shias, the Sunnis have a more united political front and lack the intra-community opposition forces that might threaten their unity. Majority of the Sunnis have been members of the Saddam led Baath Party. Following Saddam's ouster and the fall of the Baath regime, it is highly probable that the Sunnis lacked an effective leadership structure that could mobilize the community and ensure that they remain in power. Also, it is worth noting that the Sunnis are the minority group in Iraq (Al-Qarawee, 2014). In this regard, the lack of effective and influential leadership machinery would imply that the community is likely to take a reclusive, rejectionist, or defensive approach to the new institutions and regime change. There is a propensity for the Sunni Arabs to distance themselves from the Baath regime to pre-empt retribution from the incoming regime, especially if it will be Shia dominated. This is due to the atrocities committed by the Saddam regime against the Shia majority.

The quest for power, status, and clamor for resources are at the center of the political contention. The exacerbation of the divide has led to the institutionalization of sectarian

identities, which have had an overall destabilizing effect on the social, political, judicial, and economic aspects of the nation (Rydgren, Sofi, & Hällsten, 2017). In some instances, the sects have openly come out to legitimize violence against the opposing government or sect, claiming that their actions were pre-emptive or counter-measures against the oppression of their communities.

The divisions are also enhanced by the country's dependence on oil as its primary and major source of revenue. The lack of well-stipulated strategies and principles on who manages the lucrative resource, and how it should be managed and allocated, is an oasis for conflicts. In the past, leaders had promised to ensure equitable allocation of resource management and proceeds (Rydgren, Sofi, & Hällsten, 2017). These promises, however, were never fulfilled, further widening the rifts. Sadaam's regime attempted to unify the nation and thwart sectarianism by enforcing an authoritarian rule. Sadaam's strategy had little significance in reducing the conflicts and circles of violence that were witnessed sporadically in different parts of the country.

Political and Democratic Blueprint

The Baath regime had established governance institutions and political structures from which the next institutions can be built. Saddam's leadership might have been oppressive and segregative, but it was not entirely non-democratic. Following the British colonization and the Hashemite Monarchy, Iraq adopted the bicameral parliamentary system. Parliament was responsible for debating crucial matters pertaining to the leadership and welfare of the citizens. It was the primary institution that influenced the adoption of policies, often engaging in ferocious debates against policies that they perceived as oppressive (Hamdi, 2016). In most instances, the legislatures had the opportunity to vote against the government without fear of intimidation or

retribution. However, the palace often determined the policies and agenda that would be debated by parliament. In some way, the kingdom enjoyed certain aspects of democratic governance. There were several political parties, which were allowed the power of dissent and to voice their opposition for the government. This, however, does not mean that electoral fraud and injustices were uncommon. Although the executive attempted to suppress the public manifestation of these occurrences, there were instances of salient electoral fraud that attracted the outcry of Iraqian's and the international community (Hamdi, 2016). These patterns show that Iraq's citizens are not new to the idea of democracy and the roles of democratic institutions. There is a blueprint for the establishment of government institutions, independence of the press, and upholding suffrage rights. These are, in essence, the precepts of democracy.

Federal Governance System

The federal system of government involves dividing power between the regional governments and the national government, such that there are certain issues that are under the control of the national government while other issues are devolved to the regional governments. Federalism is often adopted by states that have a large geographical area or those with a high propensity for ethnic conflicts and violence. Diversity in the culture of the people is also a fundamental reason for federalism (Benz & Sonnicksen, 2017). The two sets of governments are autonomous and act directly in the interests of their people. The division of power is often determined by the constitution, in which the roles of both governments are stipulated to prevent disputes in cases of disputes and constitutional crises. Often, the powers on foreign and monetary policies are vested in the federal governments, while the regional governments oversee other domestic issues. Federal systems of government have been proven to be effective in unifying nations with wide cultural and ethnic diversity. In Switzerland, for example, the confederation

system has played a significant role in unifying the 26 culturally and historically different groups. Federalism ensures that the needs of every region are addressed without bias and the tendencies of exclusivity, considerably preventing ethnic tensions and hostility. Other nations that have successfully adopted the federal system of governance include the United States, Canada, Russia, India, Brazil, Belgium, Ethiopia, Germany, Pakistan, and Nigeria.

Establishing the federal government system requires restructuring the constitution to include certain provisions that will allow setting up the governing institutions. The delegation of powers is the primary cause of contention in federalism. It is imperative to determine the delegated, reserved, concurrent and implied powers. Delegated powers are the exclusive mandates of the national government, while reserved powers are the constitutional mandates of the regional governments. In some instances, both governments may exercise the same duties using concurrent powers. This includes infrastructural development projects such as the construction of roads (Benz & Sonnicksen, 2017). Establishing these powers is important for effective delegation to the democratic institutions. The main institutions of a federal government system are executive, legislature, and the judiciary. Both the national and regional governments have the three arms of government. For the national government, the executive may comprise a sole head of government, while in other systems; the executive may consist of a head of government and head of the executive. The president and the prime minister often play the role interchangeably. There is only one head of government operations at the regional level. The legislature, which is the policy and regulatory arm of government, is often bicameral. This consists of the upper and lower house of representatives. Both the national and regional governments may have two legislative bodies. The justice and law enforcement departments are usually less contentious, as the litigation and law enforcement processes in a certain region are

dependent on laws of the region. However, there are judicial processes that are determined at the national level, especially those of national concern (Benz & Sonnicksen, 2017). The judicial institutions are the Supreme Court, high court, and the regional courts. It is worth noting that the election and selection for the judicial bodies are usually independent of the citizen's participation.

In a federal Iraq government, the powers of the constitution will be shared both between Baghdad and the regional governments. In this case, the two sets of government will be the custodians of the constitution, with the judiciary playing the role of arbitrating disputes that might arise from power-sharing contentions (Hamdi, 2016). Resolution of imminent misunderstandings and strife between the regional and national governments will, therefore, be contingent on establishing a strong and independent judicial system. Situations may arise in which an institution or individual needs to change a clause within the constitution, especially concerning the sharing of power and resources. To prevent inconsistencies and irregular changes in the constitutions, the amendments should occur only in the presence of both legislative bodies, all federal institutions involved, and the head of state. Constitutional amendments that bypass the involvement of the regional legislative bodies will violate the rights of Iraq citizens to equal representation and paves the way for regional antipathy by the central government (Hamdi, 2016).

Equitable distribution of natural resources and revenue, as previously mentioned, is fundamental in enhancing the unity of the nation. Distribution of revenues between the central and the peripheral governments should thus be taken into consideration in the development of the institutions. In most federal states, the central government revenue is distributed to uplift the living standards in the less endowed regions, while the regional government revenue is spent on

local development, cultural, and economic initiatives. Revenues sharing arrangements are important, and thus, a delegation of revenue sharing powers on constitutional grounds is paramount. The revenue sharing body will, therefore, be an independent body constituted by legislative members from both houses and technocrats. Revenue sharing policies will be laid out by the legislature and enforced by the judiciary (Benz & Sonnicksen, 2017). The central government will oversee the process and ensure that it is equitable to prevent regional disgruntlement. On resource allocation, the central government will have full control on assets such as Iraq's petroleum.

The regional and local governments will have full command on their jurisdictions, regardless of the cultural and ethnic diversity. Territorial segregation and hostility towards certain ethnic sects will be a recipe for disunity and will eventually result in a nationwide discord. Also, the national government will not give the regional governments the power to control people in certain territories while neglecting or violating the rights of other communities. The effect of this, for example, was manifested in Israel's attempts to give the Palestinian Authority control over the Arabs in the West Bank territories, while asserting control over the Jews in Jerusalem (Benz & Sonnicksen, 2017). This form of a selective ruling by both the central and peripheral governments reinforces sectarianism and ethnic divisions, consequently undermining democracy. However, it is not guaranteed that adopting federalism will be successful in unifying the country and establishing longstanding democratic institutions. The important consideration is in how the regional boundaries will be developed, the structure of the executive, and the electioneering process.

Regional balance and establishing of boundaries is an important aspect in determining the number of regional governments and the attainment of equitable representation. Creating

regional boundaries based on the ethnic divisions may not effectively attain the goals of federalism. If this was the case, the regional territories in Iraq would be a Shi'ite south, a Kurdish north, and a Sunni center (Hamdi, 2016). This will make it easy for the government to target a certain region for resource allocation or marginalization. Also, this may further widen the ethnic division and set the precedence for a large scale ethnic turmoil. As previously discussed, the previous regimes provide a blueprint for democratic institutions in Iraq. The regional governments should be mapped on the existing provincial boundaries, creating 18 regional units (Hamdi, 2016). Each region/district will be assigned two legislative seats. The national legislature thus will comprise of 36 elected legislators to the upper and lower houses. The regional legislature will consist of members elected to represent the sub-regions for both the upper and lower houses. This will ensure the interests of all Iraq citizens are considered without culturing ethnic divisions.

Elections and Executive Leadership

In any democratic jurisdiction, elections are usually contentious processes that require close surveillance to ensure fairness and credibility. In the proposed government system, the elections will be conducted at the regional and national levels. At the regional level, the citizens will elect a government composed of the executive head, legislatures, and city council administrators – in this case, the mayor. The citizens will also elect legislatures to represent them at the national legislature. Regional representation is paramount in ensuring that the democratic process is upheld. The national government will comprise of a presidential triumvirate, as this will ensure that all the three major ethnic groups are equally represented. This system of government has been applied in Bosnia and has demonstrated to be effective in curtailing sectarian divisions (Benz & Sonnicksen, 2017). A triumvirate presidency will also prevent the

violation of human rights, exclusion of a certain community, and an authoritarian rule as witnessed in the previous Baath regime. Upholding the citizens' democratic rights is key in ensuring the stability of the nation and the democratic institutions.

Conclusion

Iraq has experienced perilous governance under the previous regimes, ethnic violence, and the effects of war following the invasion of the United States army. Following the toppling of Saddam Hussein, it is important to evaluate the reconstruction process to determine an effective approach that will unify the nation and ensure its economic and social stability. Historical sectarian and ethnic divide between the Sunni, Shia, and Kurdish communities has often made it difficult to develop national cohesion and establish democratic institutions in Iraq. Establishing a federal system of government will help to restore stability in the country by creating equal representation. Federal and regional governments consisting of the executive, judiciary, and the legislature, as well as upholding suffrage rights and credibility in the electioneering process would be the premise of Iraq's reconstruction and stability.

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