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'The Battle between Tie and Turban'
Impediments to Democratization in Iraq-(2003-2014)
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This work is dedicated to my friend Khalil Osman who has been most inspiring

CONTENTS

Part 1

Politics, Religion and Democracy

Part 2

Impediments to Democracy

Research question:

This thesis explores the reasons for the lack of democratic progress in Iraq since the US invasion in 2003. It seeks to address the research question why has Democratization in Iraq faltered?

In doing so it explores the impediments to democracy and analyses the impact of these impediments in the form of:

1.   Sectarianism and the deployment of religion as an aspect of political activity, asking how much sectarianism impeded democratisation in the context of Iraq?

2.   Adjacent to this there is the lack of a democratic tradition and the weakness of state and civil institutions , examining how these institutions are historically rooted in a rentier state tradition and how they have been attacked by a powerful insurgency aligned to outside influences. Many of these influences are malign, leading to the need to address the question about the extent to which the problem is one of the lack or weakness of the state; in other words is this a "stateness" problem and how does it impact on the process of democratisation?

3.   Finally there is a list of other powerful impediments such as corruption, tribalism and a low expectation of state protection and nurturing for personal security and overall economic development. The thesis seeks to address the question, does this collection of impediments amount to an insurmountable obstacle to the evolution of democracy in Iraq?

Abstract

The basic contention of this study is that democratization in post-2003 Iraq has faltered due to a multiplicity of reasons that include the role of religion in politics, lack of democratic tradition, weak sponsor commitment, the legacy of the dictatorial regime, exclusionary policies, stateness problem, interference by regional powers, rentier economy and sectarianism among others. Long years after toppling the Ba'athist dictatorial regime, the establishment of stable democratic institutions continues to elude Iraq. I argue that post-2003 Iraq could not completely eradicate the long historical tradition of despotic governance due to both deep-seated religious beliefs and tribal values, along with widening societal ethno-sectarian rifts which precluded the negotiation of firm and stable elite settlements and pacts across communal lines.

 After exploring the different definitions of democracy, I discuss the adverse effects of these endogenous impediments to democratization; arguing that they were compounded by a hostile regional environment and the rise of sectarian fundamentalism and armed groups and militias which have mushroomed later due to terrorist threats and outside support. I will examine how the fear by neighbouring countries of a region-wide domino effect of the Iraq democratisation process caused them to adopt interventionist policies towards post-2003 Iraq that helped to stunt the growth of democracy.

The lack of resolve and commitment by the sponsor and initiator of the post-2003 democratic process, the United States, undermined the prospects of democratic consolidation. This is compounded by serious administrative mistakes such as the Deba'athification policy and disbanding the Iraqi army which caused a security vacuum that the US forces were not able to fill. This is in addition to the absence of strong competent leaders which the Iraqi society failed to produce. The contribution of this study is to identify clearly the main impediments to democratization in Iraq, providing the evidence for each of them. Identification of the problem is crucial for finding solutions which are not impossible if the right leaders, who are ready to make difficult decisions, emerge.

Chapter 1

Introduction

Prologue

This study explores the democratization process in Iraq since the removal of Saddam Hussein's regime by US forces in April 2003. The US had created an organization called the Organization of Human Relief and Assistance (ORHA) headed by a retired US general, Jay Garner, to prevent any humanitarian crisis and oversee the transition to Iraqi civilian rule within three months.[1] But soon after the end of the war in May 2003, the US administration changed its mind and appointed a 'Civilian Administrator' who headed what was called 'The Coalition Provisional Authority' (CPA) which administered Iraq for a year in order to lay the basis for democracy.[2]

The civilian administrator, Paul Bremer, after consultations with Iraqi political leaders, appointed a 25-member Governing Council (GC) in July 2003.[3] It was officially declared in the presence of UN envoy, Sergio de Mello. UN General Secretary, Kofi Anan, called the establishment of the GC 'an important first step towards a full restoration of sovereignty'.[4] The GC was intended to represent all political, religious, ethnic and regional trends, but it couldn't in the absence of elections to legitimize its existence. Many important political forces remained outside the GC, such as the Sadrist Trend (ST), several Sunni groups, and the Ba'ath Party-(BP) or its successors.[5] There were suggestions to expand the GC representation to include all

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[1]   Larry Diamond-Squandered Victory-Henry Halt & Company-(2005)-pp30-36

[2]   CPA regulation to rule Iraq was issued on 16/6 /2003 on the basis of UN Resolution 1483: http://www.iraqcoalition.org/regulations/

[3]   More on Governing Council members on: http://www.globalsecurity.org/military/world/iraq/igc.htm

[4]   UN statement on 22/7/2003: http://www.un.org/sg/STATEMENTS/index.asp?nid=424

[5]   Hamid Alkifaey-Iraqi Governing Council: Pros and Cons-Alsharq Alawsat-26/7/2004: https://goo.gl/z8LgXh

groups as a prelude to elections, but Iraqi political groups represented in GC, together with the UN and US, decided to form an interim government to oversee elections for the national assembly and permanent constitution, as demanded by Shia religious leader, Ayatullah Sistani who insisted on elections to the national assembly.[6]

The Governing Council served for just under a year as the country's unelected legislature. It appointed a government that worked alongside the CPA. It received UN recognition through the UN Security Council resolutions 1483, 1500 1511.[7] It also took Iraq's seat at the UN. Many countries recognised it as the representative of the Iraqi state. Real power, however, remained in the hands of the American CPA. The GC tried hard to assert its authority. It entered into battles with the CPA, which tried, with marked success, to bypass it. Bremer didn't implement many GC decisions and sometimes imposed his will on the GC as happened in the 15th of November Agreement.[8] Another organization that played an important role then was the Iraqi Reconstruction Council (IRDC). IRDC was made up of Iraqi exiles who manned different Iraqi institutions but it reported to CPA.[9] The core of IRDC was an organization in exile called the Iraqi Forum for Democracy (IFD)[10] which aimed to promote liberal democracy in Iraq.[11]

Working closely with CPA, the GC managed to write and adopt the Transitional Administrative Law (TAL)[12] that called for elections on 30th of January 2005 to elect a national assembly tasked with writing a permanent constitution, getting it approved through a popular referendum on 15th of October 2005, and then calling for another election based on the new constitution on 15th of December 2005. The aim was to

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[6]   Paul Bremer-'*My Year in Iraq*-Simon& Schuster'-(2006)-p242. Also Diamond-(2005)-op.cit.p44

[7]   UN Resolutions 1483,1500&1511. Texts can be accessed from the following links:
http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1483(2003)
http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1500(2003)
http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1511(2003)

[8]   Diamond-(2005)-op.cit.p51. Also, the writer was present at the meeting the agreement was presented to the Governing Council on 15th November 2003 in the house of Kurdish leader, Jalal Talabani.

[9]   Bremer-(2006)-op.cit.p32

[10]   The author was a member of both IFD & IRDC and spokesman of GC

[11]   Ali Allawi-'The Occupation of Iraq-Yale University-(2007)-p99-100

[12]   Text of the TAL can be accessed from: https://goo.gl/7UApFd

put Iraq on the road to legitimate democratic politics as the UN statement of 22nd of July called for.[13]

The UN was involved in the process in order to give it an international legality but the bombing of its Baghdad headquarter in August 2004, resulting in the death of 22 of its staff, including UN envoy Sergio de Mello, led to distancing the UN from the process after it closed its bureau in Baghdad. After the formation of the GC, the UN was sidelined by Paul Bremer who rejected all UN proposals to give more power to Iraqis. This US attitude angered the UN envoy, Mr de Mello, and made him bitter as he felt he was used to legitimize the GC and then dropped.[14]

Elections were held according to the plan set out in the TAL; a 275-member national assembly was elected which subsequently wrote the permanent constitution that was approved by a popular referendum, despite objections to some of its articles by various groups.[15] However, most people in the provinces populated by Sunni Arabs rejected the constitution.[16] This trend revealed a sectarian-based political divide in the country at that earlier stage. Elections were held again in 2005, 2010 and 2014 in line with the constitution, parliaments were elected and coalition governments were formed. The US regularly said the elections were largely free and fair with 'no evidence of widespread or serious fraud'.[17] The UN came back to the process and was involved in the preparation and observation of all elections since 2005 after both GC and CPA called upon it to provide assistance.[18] Since 2005, Iraq saw three elected prime ministers; one, Noori Al-Maliki, was elected twice (although his second term was questionable since he was not the outright winner).

It was a momentous period in Iraq's history when new political forces emerged. The Islamist parties, previously in opposition to the regime of Saddam Hussein, joined forces and formed the United Iraqi Alliance (UIA). They were also joined by the

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13   UN statement-(22/7/2003)-op.cit.
14   Diamond-(2005)-op.cit.pp55-60
15   US State Department archives: http://2001-2009.state.gov/p/nea/rls/rpt/60857.htm
16   Patrick Cockburn & Kim Sengupta-'*Sunni voters fail to block Iraq's new constitution*'-The Independent-(25/10/ 2005): https://goo.gl/Vaj3hk
17   BBC-27/3/2010: http://news.bbc.co.uk/1/hi/world/middle_east/8590417.stm
18   UN-Iraq factsheet; http://www.un.org/News/dh/infocus/iraq/iraq-elect-fact-sht.pdf

secular Iraqi National Congress (INC), led by Ahmed Chalabi, regarded by many as the architect of the 'New Iraq' because of his perceived influence over the Americans.[19] The largely Islamist UIA won the first elections on the 30th of January 2005.

Interim PM, Ayad Allawi, who had American and British support[20], did not do so well. He got only 40 seats in the National Assembly.[21] This number shrank to 25 seats in the following parliament.[22] Since UIA became the 'biggest bloc' with 140 seats[23], it was officially asked to nominate the PM. In April 2005, PM Allawi handed over the premiership to PM-elect, Ibrahim Al-Jaafari of the Islamic Da'awa Party-(IDP), who was chosen by UIA through an internal vote.[24]

Elections and Fatwas

The second elections produced a parliament and government also dominated by Islamist Shia parties, mainly because Iraqis voted on sectarian and ethnic lines.[25] The Shia overwhelmingly voted for UIA, which was originally formed by a committee of six appointed by the Ayatullah Sistani.[26] Voters followed the advice of their religious leaders. This was widely reported at the time and documented by official statements, media reports and books.[27] Sheikh Ja'afar Al-Ibrahimi, a popular Shia preacher, acknowledged in a sermon in the city of Samawa that he engaged in publicizing UIA and introducing its members to people who didn't know them, even

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[19]   BBC report/Iraqi National Congress List-20/1/2006: https://goo.gl/m12DcL
            See Also: Aram Reston-'The Man Who Pushed America to War'-Nations Books-(2008)-p.xi
[20]   Antony Shadid-NY Times-4/2/2011: https://goo.gl/hKTdFS
[21]   Inter Parliamentary Union: http://www.ipu.org/parline-e/reports/arc/2151_05.htm
[22]   Ibid & BBC-Iraqi National List, 20/1/2006: https://goo.gl/625E7S
[23]   Inter Parliamentary Union: http://www.ipu.org/parline-e/reports/arc/2151_05.htm
[24]   Al-Jazeera-7/4/2005: http://www.aljazeera.com/archive/2005/04/200849145149814789.html
[25]   Appendix-1,
pp13,14,16,19,22,28,29,31,33,35,45,46,47,50,53,57,57,64,67,71,78,87,92,94,99,101,105,107119
[26]   Allawi-(2007)-p343
[27]   Ibid.p342. Also, Fareed Ayar, appendix-1, p79

though he himself didn't know them either, but he did that on behalf of the religious establishment in Najaf. 'It's Najaf that has gotten them into power' he declared.[28]

People thought there was a fatwa in favour of UIA. The author was a candidate in both the 1st and 2nd elections and he reported it to the press.[29] People were told participation in the election had religious sanctity and voting for lists other than UIA would 'bring down God's wrath'. Even an abstention from voting would 'throw the transgressor in hellfire'.[30] This call was made by one of Sistani's closest aid, Sayyid Ahmed al-Safi on 22nd October 2004. Al-Safi was himself a candidate within UIA, then Member of the National Assembly. UIA was regarded by Ayatullah Sistani as an 'electoral vehicle for the Shia and should continue in any post-election government as a unified grouping that would govern the country'.[31]

In many areas of the south, people didn't know the candidates, nor had they even seen their photos or election posters, yet they voted for any candidate standing with the UIA because they were told these were the wishes of Ayatullah Sistani. UIA election posters featured huge photos of Sistani together with the list numbers (169 and 555) emblazoned on them.[32]

The religious leadership maintained publicly that it didn't recommend any list, but four of Sistani's official representatives were candidates on the UIA ticket.[33] This was used in the UIA election campaign to argue that this list was the one Sistani

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[28]   Videotext translation-Appendix-2: https://www.youtube.com/watch?v=eDSDc_L8ZF8

[29]   Bloomberg's full text: '*In the January vote `the religious parties issued a fatwa,'' or religious edict, calling on Shiites to back the United Iraqi Alliance, Hamid al-Kifai, head of the Movement for Democratic Society, an independent secular party, said in a Dec.1 telephone interview from Baghdad. ``There isn't one this time, and so we have a better chance of succeeding.'* Accessed on1st Nov 2014: http://www.bloomberg.com/apps/news?pid=newsarchive&sid=a9VYgcHobTcA&refer=us

[30]   Allawi-(2007)-op.cit.p342

[31]   Ibid.p343

[32]   Appendices-5,6&7

[33]   Among them were Ali As-Safi and Ahmed As-Safi as verified by Sistani's website-(Arabic): http://www.sistani.org/arabic/in-news/973/

favoured. Sheikh Najih Al-Abboodi, Ayatullah Sistani's representative, said in a statement published by Al-khaleej newspaper and still appears on Sistani's website, that the religious leader supports UIA list stating its number, 169, for more clarity to his followers.[34] In a statement issued by the office of the 'Scientific Seminary in Najaf', the schools under Sistani's guidance, that was published by some newspapers and websites, the position was very clear: 'Ayatullah Sistani supports UIA'.[35] The list swept the country and the four of Sistani's representatives were elected to the assembly, including Ahmed As-Safi, whose sermons were broadcast live every Friday by many TV stations.

The Sunni Arabs boycotted the first elections, protesting the American invasion, which changed the power dynamics in Iraq and treated them as a minority.[36] Only one Sunni party, the Iraqi Islamic Party-IIP, decided to participate, although it demanded a delay in the elections to get organized, arguing a delay would enable it to compete with the more organized Shia and Kurdish parties. No delay was granted as the interim constitution, TAL, fixed election and referendum dates.[37]

However, Sunnis participated massively in the second elections held on 15th December 2005, represented by two blocs. An Islamic-leaning list, the Accordance Front-AF, dominated by IIP, and a secular pan-Arab bloc, the National Dialogue Front-NDF whose support came from those loyal to the former regime. Together, they got 55 seats (AF-44, NDF-11), while the Shia UIA bloc got 128 seats.[38] The Kurds participated in full force in both elections and got 58 seats (53 for Kurdish Alliance and 5 for Kurdish Islamic Union).[39]

Democracy or Shura?

Politicians and electorate have been talking all along about democracy and the democratic experience, but it looked that every group had its own version of democracy which may not necessarily accord with real democracy. Islamists for

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[34]   Najih Al-Abboodi-Sistani.org: https://goo.gl/srcjAC
[35]   Statement of the 'Scientific Seminary'-Elaph-19/1/2005: https://goo.gl/d9UvzL
[36]   Jeffrey White and Brooke Neuman-Washington Institute-13/12/2005: https://goo.gl/lWw55S
[37]   Article-2(B-2)-TAL-Refworld-: http://www.refworld.org/docid/45263d612.html
[38]   Inter Parliamentary Union: http://www.ipu.org/parline-e/reports/arc/2151bis_05.htm
[39]   Ibid

example talked of 'democratic mechanisms' as opposed to democracy.[40] Some compared democracy to 'shura,'[41] which simply means consulting "knowledgeable" people.[42] The political process might have looked democratic, but when it's closely examined, one would have some doubts in view of the basic principles laid down in text books or applied in established democracies.

In real democracies, people choose their representatives free of pressures after a free and transparent election campaign. Religion and politics are separated, or in the words of John Stuart Mill 'placing the direction of men's consciences in other hands than those which controlled their worldly affairs'.[43] Candidates must not use religious symbols or places of worship for political purposes. This is not exactly what has happened in Iraq over the last four general elections and three local elections. All the above criteria for democracy have been violated, including the use of religious symbols and places of worship which is against Iraqi law and election regulations.[44]

UIA splintered into two lists prior to the elections of March 7th 2010, 'State of Law'-(SoL), led by PM Noori Al-Maliki, which got 89 seats, and the National Iraqi Coalition-(NIC), which brought together the Reform Trend (RT), Sadrists Trend (ST), Supreme Islamic Iraqi Council (SIIC), and the Fadhila Islamic Party-IFP, got 70 seats in 2010.[45] The list also included Ahmed Chalabi's INC, who won only one seat. Chalabi, dubbed widely as the architect of the new Iraq, was unable to win when he ran alone in Dec 2005 and could only win one seat in his birth place of Kadhimiyya when he joined a religious list of UIA and then NIC.

Sunni electorates were also subjected to campaigns that made them scared of the Shia alliance, and they voted for the tribal-religious list-Accordance Front. They fast developed a feeling of victimhood vis-à-vi the Shia.[46]

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[40]   Sami Al-Askari, Walid Al-Hilli & Adil Abdur-Rahim, Appendix-1, p19/24, p34/35/37and p64/69-(respectively)

[41]   Walid Al-Hilli, Ibid-p34

[42]   Akeel Abbas-appendix-1, p86.

[43]   John Stewart Mill-On Liberty-Dover Publications-(2002)-p11.

[44]   Sharwan Al-Waeli & Fareed Ayar, Appendix-1, P73 & p81

[45]   Seat distribution of 2010 parliament: https://goo.gl/IgvS1q

[46]   Fanar Hadad-Hudson Institute-4/8/2014: https://goo.gl/EVs1kw

The Kurds have their own fears of an Arab rule as well as an ambition of a Kurdish state, thus, the electorate had to vote for the two main parties: the Kurdistan Democratic Party-KDP- led by Masud Barzani, and the Patriotic Union of Kurdistan-PUK- led by Jalal Talabani and Islamist Group.

PUK splintered into two parties prior to the elections of 2010.[47] The new party, Goran (Change), led by Nawshirwan Mustafa, got 8 seats in the Baghdad parliament and 25 seats in the Kurdish parliament.[48] It increased its seats to 9 in Baghdad in the following national elections.[49] Goran MP, Aram Sheikh Muhammed, has become deputy parliamentary speaker in Baghdad, while another Goran member, Yusuf Muhammed, become the speaker of the Kurdish Parliament in Erbil. KRG president, Masud Barzani, banned Muhammed from entering Irbil to perform his job in Oct 2015.[50] According to KRG law, Muhammed would have succeeded Barzani in the presidency of KRG after his term expired. Kurdish politics have become family-based, where the Talabani and Barzani families are dominant. Talabani's youngest son, Qubad, has been groomed to succeed his father as a leader of the PUK.[51] He has become deputy PM in the Kurdistan Regional Government headed by Barzani's nephew and son-in-law, Nichervan.

Voters' Motivation

What motivated Iraqi voters was not political programmes, which hardly existed, nor a desire for change, since most of them didn't have an idea what sort of change was ahead. Rather, it was religious, sectarian and ethnic passions and fears of the other. There were other pressures put on people to elect certain individuals or parties. These included tribal, familial and regional loyalties, in addition to international pressures. Religious pressures, be they personal or collective, were the most influential in deciding how voters voted in the Arab west, middle and south. In the

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[47]   The Majalla-The Leading Arab Magazine-16/6/2010: https://goo.gl/nZnKPU
[48]   IWPR-August-2009: https://goo.gl/NVRPUH
[49]   Assyrian International News Agency: http://www.aina.org/news/20140520151010.htm
[50]   Ekurd Daily-24/5/ 2016: http://ekurd.net/barzani-kdp-coup-iraqi-kurdistan-2016-05-24
[51]   Michael Rubin-Ekurd Daily-19/12/2012: http://ekurd.net/mismas/articles/misc2012/12/state6722.htm

Kurdish north, the main motive was, and still is, ethnic and irredentist. Fear of the other was the main factor in people's voting decisions.[52]

The constitution was also flawed in many ways according to experts.[53] It impedes democracy, says Dr Faleh Abdul-Jabbar, a prominent sociologist and director of the Beirut-based Institute for Strategic Studies. One obvious example he points to is Article 2. Clause A bars enacting laws that 'contravene the established provisions of Islam'.[54] This was demanded by Islamist parties to block any legislation that loosens their grip on power. Dia Shakarchi, former Islamist MP, charges that Islamists attempted 'to add as much as they could of religious and sectarian colour to the constitution'.[55] Clause-B[56], which bars laws that 'contradict the principles of democracy' is not a deterrent as some secularists thought. Clause A is stronger than Clause-B since the former refers to a defined religious text, while the latter is a vague floating idea that has no well-defined reference point.[57]

Islamists in parliament used Article (2A) to introduce *Sharia* with regards to personal status law and the ban of alcohol and clause (B) did not deter them as there is no text to refer to.[58] In addition, no one can dispute what prominent clerics say because their opinions are obligatory on all believers.[59] On the other hand, democratic principles are not well-defined, nor are they agreed upon among democracy-leaning people, let alone those who are opposed to democracy.[60] Unlike Islamic principles, they are not sacred, so no one will enforce them outside the law. They can vary from one country or culture to another. Islamists always argue that each country has its own version of democracy and we can have our version too. Human rights conventions are not obligatory either. Countries can opt not to sign them if they wish to, so they cannot be made obligatory in Iraq. Article 2 maybe contradictory but

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[52]   Fred Kaplan, Slate, 15/12/2005: https://goo.gl/3zQqHu

[53]   Faleh Abdul-Jabbar, Appendix-1, p28.

[54]   Iraqi constitution (English):http://www.iraqinationality.gov.iq/attach/iraqi_constitution.pdf

[55]   Appendix-1, p62

[56]   Iraqi Constitution-op.cit.

[57]   Akeel Abbas-appendix-1, p138

[58]   Maysoon Aldamluji-ibid, p125

[59]   Dia Shakarchi-Appendix-1, p52-54. Shia spiritual leaders are revered by their followers as we will see in chapter 6 in the section of taqleed, or emulation, p149, which is one of the pillars of the Shia doctrine.

[60]   Akeel Abbas, Appendix-1, p138

Clause 'A' gives more weight to clerics to interpret the religious text and when they form the majority, they will prevail.[61]

Although there are many schools within Islam and religious texts can be interpreted in many ways, the fact remains that there are fixed Islamic principles agreed upon among Muslims, Sunni and Shia alike, since they are clearly defined in the Qura'an and the *Sunnah*. Among these are the controversial penal code, the prohibition of alcohol, fighting the 'infidels' and non-believers in Islam, negative attitude towards women and inheritance law. These codes pose a problem for modern democracy and political thought and contravene human rights conventions. Individuals may opt to apply some of these laws voluntarily, but a democratic state must not adopt laws that clearly violate human rights conventions or the principles of democracy.

Dr Akeel Abbas rightly argues that 'Democracy and religion belong to diametrically opposed orders of reality. The former is based on debate and questioning that leads to following the opinion of the majority, while protecting the rights of the minority, whereas latter is based on holy texts that accept no debate or questioning and pay no attention to the opinions of the majority or minority'.[62]

Religious symbols were widely used. PM Al-Ja'afari, for instance distributed a prayer book, with his photograph showing him praying emblazoned on it.[63] Many candidates were giving political speeches in mosques and religious centres.[64] Preachers were telling people 'if they did not vote they would be punished by God and go to hell and the list endorsed by the religious authority was UIA, number 169'.[65] The latter story was widely circulated prior to the elections of 30th January and 15th December 2005 and believed by ordinary people.

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[61]   Ibid
[62]   Ibid
[63]   Appendix-3
[64]   Mark Kerry-*Tigers of the Tigris*-Dog Ear publishing-(2008)-p130
[65]   Victoria Fontan-'*Voices from Post Saddam Iraq'*-Greenwood Publishing Group-2009-p140: https://goo.gl/Z8eYgj

The Independent High Election Commission-(IHEC)-was too weak to do anything about such violations.[66] According to its first president, Hussein Al-Hindawi, when IHEC fell under the control of parties, this 'distances the democratic process from propriety and integrity'. Sami Al-Askari, MP, charges that IHEC 'has never been independent. Once it got out of the control of UNAMI and US embassy, it entered into partisan quotas. Members of the former and current IHEC were candidates of political blocs and they represented the interests of their blocs when taking decisions'.[67]

Secularists were too frightened to object to any violation and when they protested, IHEC rejected their complaints. The most prominent Iraqi secular leader, Ayad Allawi, protested to IHEC that UIA had violated the law, but his complaint was rejected.[68] Allawi was portrayed in a hostile poster as looking like Saddam Hussein with a military uniform, marked (Ba'athist).[69]

After years of "democratization" democracy has not taken roots in Iraq. On the contrary, democratic principles are being violated and the country is increasingly heading to toward a religious state. Some democratically-elected leaders have left the process or fled the country fearing for their freedom or lives after having been accused of terrorism. Former Vice President, Tarik Al-Hashimi, fled to Turkey in 2011, and former finance minister, Rafi Al-Isawi, fled to Jordan in 2012. US mediation efforts to facilitate their return to Iraq to repair the political process haven't succeeded.[70] MP Muhammed Al-Dayni fled Iraq after being accused of planning a parliament explosion and MP Abdul-Nassir Al-Janabi fled to Jordan in 2007 after PM accused him in a parliamentary questioning of kidnapping 150 people.[71]

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[66]   Sharwan Al-Waeli, appendix-1, p74
[67]   Appendix-1, p21
[68]   Usamah Mahdi-'*Al-Sistani Supports the Shia List*'-Elaph-19/1/ 2005: https://goo.gl/HcAuxb
[69]   Appendix-4
[70]   Adnan Hussein-Rudaw-12/2/2015: http://rudaw.net/english/middleeast/iraq/120220151
[71]   Mark Santora-'Iraq Leader and Sunni Officials in Clash on Security'-New York Times, 26/1/2007: http://www.nytimes.com/2007/01/26/world/middleeast/26iraq.html

Others have been implicated in high-level corruption that made it impossible for them to stay in politics such as former defence minister, Hazim Ash-Sha'alan,[72] and former electricity minister Ayham As-Samerraei, who escaped from prison, allegedly with the help of Americans.[73] Some politicians resigned in silent protest at the political process itself such as Ja'afar As-Sadr.[74]

 This shows there is a serious problem with Iraqi democracy. If those officials were innocent and were framed with these crimes, it's a huge problem. If they did actually commit these crimes, it's even more serious. In both cases, democratically-elected officials break the law and in such a flagrant way when they should be upholding it and setting examples for others. It means Iraq lacks nation-builders and inspiring leaders with the stature of the Spanish transitional leader, Adolfo Suarez, who led the Spanish transition to democracy successfully. Political scientist, professor Kanan Makiya describes the new leaders as 'small men with no vision. They treated Iraq as booty'.[75] Iraq lacks visionary leaders with a firm commitment to building a true modern democracy. Writer and a former trade, defence and finance minister, Ali Allawi, says there is no national leader. 'They are only Sunni, Shia and Kurdish politicians, a smattering of self-styled liberals and secularists, each determined to push their particular agenda forward'.[76]

For the first ten years of democratization, there was no law to organize and regulate political parties. The law was passed in 2015 and will take effect in 2018.[77] The democratic process runs through agreements among the leaders of political blocs and these agreements are subject to other factors such as having an armed wing or a strong foreign backer. It served the established political parties well not to have a law for political parties in place because it would restrict their activities, especially funding. MP Alia Nassif charges that some politicians use public money to fund their

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[72]   AFP-Alarabiya-1/2/2012: https://english.alarabiya.net/articles/2012/02/01/191870.html

[73]   Michael Howard-'Americans' helped Iraqi ex-minister escape jail'-The Guardian-20/12/2016: http://www.informationliberation.com/?id=18907

[74]   Lebanon wire report-19/2/2011: http://www.lebanonwire.com/1102MLN/11021918AP.asp

[75]   Appendix-1, p137

[76]   Allawi-(2007)-op.cit.p460

[77]   Niqash-20/9/2015-published on ICSSI website,: http://www.iraqicivilsociety.org/archives/4648

election campaigns and 'there are mafias run by political parties'.[78] Corruption among politicians and government officials is common and this constitutes a problem for democracy.

Some parties are strong because they have militias to protect their activities and personnel and perhaps impose their policies. Militias were formed or came to Iraq from neighbouring countries after the regime's fall in 2003, but they have mushroomed after the fall of Musil in 2014 when the Shia spiritual leader, Ayatullah Sistani issued a fatwa of *jihad* against ISIS, after which militia leaders have gained a lot of political weight in the country.[79] With so many armed militias connected to political parties, Iraqi democracy is in real danger.

In 2010, Iraqia list, led by Dr Ayad Allawi, was the biggest bloc in parliament. But the incumbent PM, Noori Al-Maliki, rejected the outcome, requesting a recount of votes, claiming there was vote-rigging in favour of his opponents, although he was in government, not his opponents. When the recount didn't change the results, he went to the Federal Court and obtained a ruling allowing the formation of parliamentary lists after elections, basically changing the meaning of an electoral win to his favour.[80] Many doubted the soundness of the ruling. Experts warned that this ruling could create a potential for 'endless negotiations after every election', which means that elections results cannot indicate who should form the government.[81] After 9 months of wrangling, Allawi gave up his right to form the government, paving the way for Al-Maliki's second term. That government didn't achieve much because of its own failures and the fierce opposition it faced.

In August 2014, Al-Maliki increased his parliamentary seats but he was forced to relinquish the premiership after Ayatullah Sistani intervened.[82] He advised the Shia

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[78]   Adel Fakhir-Rudaw-1/3/2014: http://rudaw.net/english/middleeast/iraq/01032014

[79]   Norman Cigar-'*Iraq's Shia Warlords and their Militias*'-US Army War College Press-June-2015-pp3-15, published on: http://www.strategicstudiesinstitute.army.mil/pdffiles/PUB1272.pdf

[80]   David Ghanim-*Iraq's dysfunctional Democracy*-Praeger, Oxford-(2011)-p122: https://goo.gl/UUCefK

[81]   Kenneth Pollack-*A Government for Baghdad*-Brookings Institute- 27/7/2010: https://goo.gl/7nehTs

[82]   Wa'el Hashim-Sistani.org-18/8/2014: http://www.sistani.org/arabic/in-news/24950/

National Alliance to choose a new leader after Al-Maliki looked divisive. Although his replacement by Haider Al-Abadi caused a rift within SoL, it eased sectarian and political tensions threatening to tear the country apart.[83]

Aims of the Study

Doubts began to surface about the viability of Iraqi democracy since people's primary allegiance has been to the pre-modern affiliations of religions, sect and tribe, not to ideas. These affiliations dictated voting decisions. Worse still, there was the fear of the others spread by politicians eager to be elected at any cost. I began to feel that those who were elected to office may not actually represent the real interest of the people because they came to political prominence by availing themselves of fortuitous and expedient circumstances; in other words, through a process that violates the basic tenets of democracy in the name of democracy!

This was happening under the eyes of the American sponsors who made it possible for all these mainly undemocratic forces to reach power through a process that may not have been fully democratic. Even the current modicum of democracy may not be maintained for long since those in power are not prepared to relinquish it under any circumstances. The only power that was able to make a prime minister leave office, was not that of the ballot box, but the clout of the religious leader Ayatullah Sistani.

This study has sought to find answers for many questions, the most important of which is whether this current state of things can develop into a true democracy. Can pluralism actually exist when most of the parties are religious and undemocratic, ready to unite to exclude others? What are the conditions that are necessary to help a true democracy develop in Iraq over time? Iraqi parties in general deepened social and religious rifts, polarizing society so sharply to the point of triggering a civil war. What kind of parties does Iraq need to make democracy a viable option?

Political parties are essential for any democracy, and their ideological differences are vital to energize democratic debates since these differences represent different

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[83]   Reuters-*Iraqi parliament approves new government headed by Haider al-Abadi*-8/9/2014: https://goo.gl/NVQ8P1

socio-political orientations in society. But this has not been the case in Iraq, reflecting a common trend in many developing countries. Haggard and Kaufman-(1995)-don't place parties in developing countries on the same left-right dimension as is the case in the party system in advanced industrial countries. The authors define political polarization 'by the ideological distance between parties'.[84] Hussein Al-Hindawi contends there are no ideological differences between Islamist parties; they are one group.[85] In other words, there are no genuine legitimate differences among religious parties in Iraq, failing to reflect modern socio-political orientations in the Iraqi society, opting instead for pre-modern allegiances and fears.

Democracy assumes freedom. Personal, associational or political, freedom is an integral part of democracy, guaranteed under democratic systems.[86] Under the Iraqi Islamists, it's restricted. Armed masked men keep raiding nightclubs and professional clubs, such as that of the Literary Union, and terrorise people, beat them up and break furniture frequently. The last time the Literary Union, a famous association for Iraqi literary writers and poets, was attacked was in 2015.[87] Women are no longer free and most of them have to dress in *hijab* to avoid harassment. Ms Hana'a Edward, head of Al-Amal Charity says "Iraqi women suffer marginalization and all kinds of violence, including forced marriages, divorces and harassment, as well as restrictions on their liberty, their education, their choice of clothing, and their social life".[88]

Al-Fadheela Islamic Party sought to enact Sharia law on personal status and got it approved by the Council of Ministers.[89] Some personal freedoms are non-existent such as changing one's faith from Islam to another faith. Under a democratic rule, freedoms are guaranteed by the government. Although many Islamic scholars

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[84]   Stephen Haggard and Robert Kaufman-*The Political Economy of Democratic Transitions*-Princeton University Press-(1995)-p167
[85]   Appendix-1,p50
[86]   Robert Dahl-'On *Democracy'*-Yale University press-(1999)-pp45-58
[87]   Salah Nasrawi, Al-Ahram Weekly-24/1/2015: https://goo.gl/vBds0Z
[88]   Salam Faraj-Agence France-Presse-9/3/2012: https://goo.gl/A6dz4t
[89]   Mushreq Abbas-*'Iraqi Justice Minister Presses Shiite Personal Status Law'*-Al-Montitor-3/3/2014 https://goo.gl/EhWYom

support democracy, most Islamist parties are critical of democracy, believing only in its mechanisms as a way to hold power.[90]

Democracy is not just about elections. It's about electing those who can protect people's rights and freedoms. They may fail in their endeavour to serve the people but they abide by democracy's basic tenets. A democratic system doesn't necessarily perform better than a non-democratic one. In fact democratizations coincided with acute economic crisis in Eastern Europe and Latin America except in Czechoslovakia and Chile.[91]

In an environment where religion and tradition play a central role in shaping people's minds and decisions, is there a place for real democracy? Can democracy work in a society where a high percentage is uneducated or even illiterate?[92] Finally, can democracy actually survive without secularism that can protect it from religious domination?

There has been a noticeable shift recently in people's thinking, but it has not been electorally reflected. There is a new political movement, 'the Civic Democratic Alliance'-(CDA)-that entered the process in 2014 election. It got thousands of votes nation-wide, but its share in Baghdad was only three seats, because the electoral system worked in favour of established parties.[93] Some of its candidates got thousands of votes but failed to win seats in parliament, while candidates with fewer votes who belonged to big lists were elected.[94]

In the 2010 elections, many politicians moved away from the Sunni AF to the secular 'Iraqiyya'. But they soon left Iraqiyya, forming another sect-based group, the Union of Iraqi Forces-(UIF). Ayad Allawi has maintained his political base, albeit his parliamentary seats shrank from 40 in 2005 to 21 in 2014.[95]

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[90]   Sami Al-Askari, Walid Al-Hilli & Adil Abdur-Raheem Muhammed Appendix-1, p19/24, p34/35/37 & p64/66
[91]   Adam Przeworski-'*Democracy and the Market'*-University of Cambridge Press-(1991)-p140
[92]   Larry Diamond estimates the percentage of illiterate people in Iraq to be 40%-[Diamond-(2005)-p21]
[93]   Election Guide-Republic of Iraq-footnote2: http://www.electionguide.org/elections/id/2425/
[94]   Mithal Al-Aloosi-*CDA's number of seats is unfair*-20/5/2014: https://goo.gl/YQCP5I
[95]   Inter Parliamentary Union-op.cit: http://www.ipu.org/parline-e/reports/2151.htm

A movement toward secularism is happening but slowly. Still, religious blocs have tried to appeal to voters nationally but religious rhetoric remains strong.[96] They have adopted patriotic or civic names for their lists, abandoning their old religious names.

Mahmoud Al-Mashhadni, a Sunni Islamist and former speaker of parliament, predicted that Islamist parties will 'change their names; they will carry modern names and formulate political programs, thus they will overcome their failure'.[97] Whether this perceived trend towards civic politics is permanent or even real is questionable. Dia Shakarchi, former MP for IDP, moved away from political Islam in 2006 but he didn't win as a secular politician. Sharwan Al-Waeli left IDP-IO and formed an independent list in the 2014 election. He, too, didn't win.

Islamist parties may have changed their tactics and rhetoric, but not necessarily their ideologies. The electorate may have changed their perception of Islamist politicians. But they are still voting for them. Islamists have been in power since early 2005 and they made sure that the electoral arrangements, enshrined in the election law and IHEC, do not make room for secular or small parties to challenge their dominance through the ballot box. According to Przeworski-(1996) 'democratic institutions must be 'fair': they must give all the relevant political forces a chance to win...they must be effective: They must make even losing under democracy more attractive'.[98]

Election turnout has been falling, from 78% in 2005 elections, to 63% in 2010 to 52% in 2014.[99] Is it apathy? Or disillusionment with Islamists? It's too early to tell. I have been following events in Iraq closely for over three decades and written about it.[100] I rushed to Iraq in 2003 to participate in building new institutions in pursuit of a truly democratic Iraq.[101] But with so many hurdles in the way of democracy, I thought the best contribution I could make to democracy is to conduct a serious study on

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[96]   Ali Mamouri-*Will secular parties gain upper hand in Iraq?*-Monitor-2/5/2016: https://goo.gl/l4bJly
[97]   Umaymah Al-Omar-'Mashhadani:I Was Not Forced to Resign'-Naqash-20/2/2009: http://www.niqash.org/en/articles/politics/2391/
[98]   Przeworski-(1991)-op.cit.p33
[99]   Election Guide-op.cit: http://www.electionguide.org/elections/id/2425/
[100]   Hamid Alkifaey-The Independent-19/9/2002: https://goo.gl/hwclfs
[101]   Hamid Alkifaey-'*Breaking the silence'*-The Guardian-14/7/2003: https://www.theguardian.com/media/2003/jul/14/mondaymediasection12

democratization to find out the real reasons why democracy has faltered despite all the available opportunities, the most important of which was international support.

If democracy is 'not the "default mode" of humanity, but a rare occurrence proceeding from specific and unique historical sequences' using the words of John Dunn, can this 'rare occurrence' succeed in Iraq?[102] I have undertaken to find out whether democracy can co-exist with theocracy, tribalism, militarism, illiteracy and closed cultures. The findings are listed at the end of the thesis. As Dr Akeel Abbas said earlier 'democracy and religion belong to diametrically opposed orders of reality'.[103] They do not go hand in hand.

Islamist MP Sami Al-Askari contends tribal values 'don't accord with the spirit of democracy and personal freedom'. He also warns that 'religious despotism' is the worst and most dangerous of all types of despotisms that humanity has ever witnessed over all times because 'it simultaneously dominates the brains and bodies'.[104]

I am also arguing that the democratic process has fared poorly in Iraq, especially with the threat posed by armed groups and secret militias within the political process itself, both of which undermine the rule of law necessary to protect any democratic experience. One report by the US War College estimates that the number of Shia militias in Iraq to be over 50.[105] I have provided the evidence, from political theories, religious texts and political realities of Iraq to support my argument. Democratization can succeed in Iraq if the impediments are removed but this requires leaders strong enough to tackle the real problems impeding political progress in Iraq. Many countries have managed to overcome their problems by taking tough decisions. This has to happen in Iraq.

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[102]   Sami Zubaida-OpenDemocracy-118/11/2005: https://goo.gl/Y2RrnL
[103]   Appendix-1, p138
[104]   Appendix-1, p18
[105]   Norman Cigar-US Army War College Press-Feb-2015-p14: https://goo.gl/sKGmao

Chapter 2

Methodology

I have chosen the method of 'case study' for my research on democratization in Iraq for several reasons, easiness is certainly not among them since using case studies for research purposes, remains one of the most challenging of all social science endeavours.[106] The method is used by many researchers, academics and institutions alike in order to 'contribute to our knowledge of individual, group, organizational, social, political, and related phenomena'.[107] Case Study research is used in all fields of life, and it has been a common strategy in philosophy, sociology, political science and social work.[108]

It arises out of a desire to understand complex social phenomena and allows the investigator to retain the holistic and meaningful characteristics of real-life events.[109] Since the issue I am studying, the democratization process in Iraq, has many 'why' and 'how' questions, and since it's a contemporary phenomenon, and because, I, the investigator, have no control over events, case study was the preferred strategy to conduct my research.[110]

Information was gathered from many sources such as social, political and economic theories, experiences of other countries that democratized in the second half of the twentieth century, or the third wave, using Samuel Huntington's terminology. Other sources included interviews with experts and current and past Iraqi politicians, both secular and Islamists, in government and opposition. It also compares democratic practices as they are developing in Iraq with the basic principles of democracy, as it exists in the West.

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[106]   Robert Yin-'*Case Study Research. Design and Methods'*-Sage Publications-London-(2003)- p1
[107]   Ibid.p1
[108]   J.F. Gilgum-(1994)-'*A case for case studies in Social work Research'*-Social Work39-pp371-380-[Yin-(2003)-op.cit.p1]
[109]   Yin-(2003)-op.cit.p2
[110]   Ibid.p1

In social sciences, it's essential to use a methodological framework to investigate a phenomenon such as democratization. Methods vary between qualitative and quantitative research. Some researchers mix between them to achieve their targets. The two may be different, but they can be used to complement each other as Neuman observes:

'Qualitative and quantitative research differ in many ways, but they complement each other, as well. All social researchers systematically collect and analyse empirical data and carefully examine the patterns in them to understand and explain social life'.[111]

There are differences between the methods used. Neuman argues that the differences between qualitative and quantitative research can be noticed in the nature of the data, as there are different objectives between qualitative and quantitative, and holding different assumptions about social life.[112] Social scientists during the last decades increased dependence on qualitative methodology in investigating social phenomenon.[113] Qualitative research enables in-depth rather than general or large-scale investigation. This thesis is a qualitative study that aims to understand the changes, interactions and developments taking place in Iraq since 2003.

I have decided to regard democracy in Iraq as a 'dichotomous' variable not a continuous one.[114] The reason is the nature of the change in 2003 which was very sudden; a military invasion by a superpower, and also because of the repressive nature of the regime that existed prior to the democratization process. No civil, political or economic societies existed in Iraq under the previous regime, no independent think tank or study centres whose information the researcher can trust. That's why I needed to test every piece of information for accuracy.

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[111]   William Lawrence Neuman and Karen Robson-'*Basics of Social Research'*- Pearson, (2004), W.L. Neuman, *Basics of Social Research: Qualitative and Quantitative Approaches*-(Pearson, 2011)-p84
[112]   Neuman-op.cit.p85
[113]   U. Flick, E. Von Kardorff& I. Steinke-'*A Companion to Qualitative Research'*-Sage Publications-(2004).p3
[114]   Samuel Huntington-'*Third Wave'*-University of Oklahoma Press-(1991).p11

Although some scientists believe that case studies are only appropriate for the exploratory phase of an investigation-(Shavelson & Townes-2002), this view is challenged as case studies have been used as explanatory and descriptive case studies-(Alison & Zilikow's Essence of Decision: Explaining the Cuban Missile Crisis, 1999)-and descriptive case studies-(Whyte's Street Corner Society, 1943/1995).[115] Each strategy can be used for all three purposes: exploratory, descriptive and explanatory. There can be exploratory, descriptive and explanatory case studies.[116]

Strategies are not so distinctive since they significantly overlap and their boundaries are not always sharp. Three conditions distinguish strategies; hierarchy is not one of them. They are the type of research question posed, the extent of control an investigator has over actual behavioural events, and the degree of focus on contemporary, as opposed to historical events[117].

Types of Research Questions

My research question starts with the interrogative word 'why' (why the democratic process in Iraq has faltered) and it also implies 'what' since I am looking for the reasons of this failure (what are the reasons?). Since the question focuses on 'what', it's a 'justifiable rationale for conducting an exploratory case study with the goal of developing pertinent hypotheses and propositions for further inquiry'.[118]

I embarked on trying to find out whether the Iraqi democratic experiment has faltered. If yes, why has it, and what are the reasons or circumstances that led to its failure. The way ahead is to look at documentary evidence and conduct interviews. Yin states 'If you wanted to know why the acts had occurred, you would have to draw on a wider array of documentary information, in addition to conducting interviews. If you focus on the 'why' question in more than one terrorist act, you would probably be doing multiple case studies. If you need to know how or why a governmental

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115   Yin-(2003)-op.cit.p3
116   Ibid-(Yin,1981a&1981b)
117   Yin-(2003)-op.cit.p5
118   Ibid.p6

programme had worked (or not), you would lean towards a case study or field experiment'.[119]

Although a research question is a small part of the study, defining this question is perhaps the most important step in a research study and it requires patience and sufficient time to accomplish. The form of the question can provide an important clue to the appropriate research strategy, not forgetting the large areas of overlap among strategies, so that for some questions, a choice among strategies might actually exist.[120]

My research extends into history, even though it's about a contemporary issue. I needed to know if certain historical events have actually influenced current ones. Some historical events are distant and there are no living people to ask about them. So, when dealing with the distant 'dead past,' I needed to consult memoirs and books by former politicians or academics, newspapers and journal articles. At one point, I wanted to interview a living minister from the monarchy era, Abdul-Kareem Al-Uzri. He was in his nineties but his family said he was not in a position to be interviewed. Instead they have given me his book, which I've used in my research.[121] Histories can overlap with case studies if they are done about a contemporary event as my research is.[122]

In social sciences, data collection methods are dependent on the methodological framework. In a qualitative enquiry, primary and secondary sources are the two main methods of data collection, where Primary sources are generated by means of asking questions and observation.[123] Michael Wilson and Roger Sapsford refer to interviews and questionnaires as commonly used techniques to generate data by

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[119]   Ibid.p6&7
[120]   Ibid.p7
[121]   Abdul-Kareem Al-Uzri-'*The Problem of Governance in Iraq'-self-published*-(1991)-(Arabic).
[122]   Yin-(2003)-op.cit.p7
[123]   Roger Sapsford and Victor Jupp-'*Data Collection and Analysis'*-Sage-(2006)-pp93-123

asking questions.[124] Glenn A. Bowen refers to 'documents' as an important primary source.[125]

Bowen details the types of documents that can be used as supportive primary sources; 'advertisements; agendas, attendance registers, and minutes of meetings; manuals; background papers; books and brochures; diaries and journals; event programs (i.e. printed outlines); letters and memoranda; maps and charts; newspapers (clippings/articles); press releases; program proposals, application forms, and summaries; radio and television program scripts; organisational or institutional reports; survey data; and various public records. Scrapbooks and photo albums can also furnish documentary material for research purposes'.[126] I have used many of the above including photos and election posters, as supporting evidence.

Catherine Dawson refers to information already published such as 'research books, research reports, journal articles, articles reproduced online, scientific debates, and analyses of historical events' as secondary sources.[127]

Interviews

Qualitative research emphasizes the need for primary or naturally occurring data, in which interviews and documents are major primary sources of gathered data. Jennifer Mason argues that interviews are among 'the most commonly recognized forms of qualitative research'.[128] It has a strong claim to being probably 'the most widely used method in qualitative research'.[129] For Catherine Dawson, there are

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124   Ibid.pp93-123.
125   Glen Bowen-*'Document Analysis as a Qualitative Research Method'-Qualitative Research Journal*-9/2 (2009)-pp27-40.
126   Ibid
127   Catherine Dawson-'*Introduction to Research Methods: A Practical Guide for Anyone Undertaking a Research Project*'-How To Books, London-(2009)-p46
128   Jennifer Mason-'*Qualitative Researching, Sage Publications'-(2002)*-P39
129   Jane Ritchie and Jane Lewis-'*Qualitative Research Practice: A Guide for Social Science Students and Researcher'-Sage Publications-London-(2003)*-p36

three types of Interviews: 'unstructured, semi-structured and structured interviews'.[130] Carolyn Mears explains that in-depth interviews are:

'conversations with a purpose, namely, to sit with another and learn what that particular individual can share about a topic, to discover and record what that person has experienced and what he or she thinks and feels about it'.[131]

In this study, most interviews were in-depth because it would be much easier to analyse and interpret the discourse of interviewees' answers. In-depth interviews focus on open-ended questions, which provide opportunities for both the interviewer and interviewee to discuss certain topics in detail. Different people make different observations regarding the same event while some notice things that others don't. I have conducted fifty interviews; some were face-to-face where conversations were open-ended, while others were via emails; where further questions were asked through the same method.

Ruth Wodak states that: 'All actors display their individuality, their self –otherwise, every professional in a specific field would have to act in the same way due to their position in the field and their acquired symbolic capital. Hence, the identity of the actor influences the performance as well'.[132]

In the interviews for this study, some important views or observations were expressed or made only by one or two interviewees. Some people surprised me with their observations, while others have noticed other events and reached different conclusions. For example, MP Wahda Al-Jumaili, was perhaps the only one among the interviewees who raised the issue of Kurdish ambitions which she believes constitute a challenge to democratization in Iraq. It does, since democracy cannot be consolidated if there is a stateness problem and the Kurds do wish to establish an independent state over parts of northern Iraq.

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[130]   Catherine Dawson, *Introduction to Research Methods: A Practical Guide for Anyone Undertaking a Research Project-How To Books-Oxford-(2002)*-p27

[131]   Carolyn Lunsford Mears-'*Interviewing for Education and Social Science Research*'-Palgrave Macmillan-(2009)

[132]   Ruth Wodak-'*The Discourse of Politics in Action: Politics as Usual*'-Palgrave Macmillan-(2011)-p12.

Why Case Study?

Since I was examining contemporary events where the relevant behaviour cannot be manipulated, the preferred method would be case study.[133] 'It uses many of the same techniques as history but it adds two sources of evidence, not usually included in the history repertoire: direct observation of the events being studied and interviews of the persons involved in the events'.[134] I have indeed used both and interviewed the people who I thought were relevant to the process of democratization in Iraq for various reasons. Many of them were senior politicians, others were experts, clerics, writers or informed observers. Furthermore, a case study is even stronger than other methods in dealing with a full variety of evidence such as documents, artefacts, interviews and observation. It's also done when the 'how' or 'why' questions are asked about a contemporary set of events over which the investigator has little or no control[135], and this applies to my research.

Determining the questions that are most significant for a topic and gaining precision in formulating these questions, require much preparations and one way is to review the literature on the topic (Cooper 1984).[136] Literature review is a means to an end. Researchers and investigators review previous research in order to develop sharper and more insightful questions about the topic. This is what I have done throughout this research. As I read more literature on the subject, I needed to conduct more interviews and ask different and better-targeted questions.

I am aware of the concerns raised about case studies and these included for example the lack of rigour where investigators are sloppy, failing to follow systematic procedures, or allowing equivocal evidence or biased views to influence the direction of the finding and conclusions. It's said that such lack of rigour is less likely to be present using other strategies because of the existence of numerous methodological

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[133] Yin-(2003)-op.cit.p7
[134] Ibid.p8
[135] Ibid.p9
[136] Ibid.p9

texts with specific procedures to follow.[137] I have regularly checked my information and used triangulation in order to guarantee accuracy. I have tried not to allow unattributed biased views into my research.

Answers which have no basis or defy established facts are not accepted and interviewees are challenged about them until they provide evidence or their replies are not used in the research. Dr Fareed Ayar gave answers which my evidence stands against, so I didn't accept them.[138] Dr Al-Hindawi said 'Gen. Franco was a strong believer in democracy' and this was also rejected.[139]

There is some confusion between case study teaching and case study research. In teaching materials are deliberately altered to demonstrate a particular point effectively (Stein 1952).[140] While in research any such step is strictly forbidden. Every case study investigator must work hard to report all relevant evidence fairly. Those who accuse case study of bias may forget that bias can also enter into the conduct of experiment (Rosenthal, 1966) and the use of other research strategies such as designing questionnaire for survey (Sudman and Bradburn, 1982) or conducting historical research (Gottschalk 1968).[141]

Some criticise case study because it 'provides little basis for scientific generalization', i.e. how can you generalise from a single case? But the same can be asked about experiment. The answer is that case studies, like experiments, are generalisable to theoretical propositions, not to populations or universes. When doing a case study, the goal is to expand and generalize theories, not enumerate frequencies (statistical generalization).[142] The goal is to generalize and not particularise analysis (Lapset, Trow and Coleman-1956, pp.419-420).[143]

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[137]   Ibid.p10
[138]   Appendix-1, p79-85, especially rejecting the legitimacy of ballot boxes (p84) and regarding the era of Gen. Qassim democratic (p85)
[139]   Ibid, p47
[140]   Yin-(2003)-op.cit.p10
[141]   Ibid
[142]   Ibid
[143]   Ibid.p11

Although this study is about Iraq, the same findings can be found in other countries where circumstances are similar. i.e. some findings can be generalized. But even if the findings of this study apply only to Iraq, it will still be a useful contribution. I have found many similarities between the Ceausescu regime in Romania and Saddam Hussein's in Iraq. The Romanian democratization was the least consolidated among eastern Europeans.[144] There is a lesson here for Iraq. There are also similarities with Spain regarding irredentist movements and extremist groups hostile to democracy, such as Fuerza Nueva, which Spain dealt with through inclusion and letting the people decide its fate.

Others criticise case studies for taking too long and resulting in massive unreadable documents. But this is not necessarily the way case studies must be done, nor need case studies take a long time. My research, however, did take a long time due to exceptional circumstances in Iraq, mainly the security situation and having to examine and analyse so much material and review so much literature. It would have taken less time if circumstances were different or if I chose to depend solely on secondary material.

It's possible to do a valid and high-quality case study without leaving the library and the telephone or Internet, depending on the topic being discussed.[145] Still good case studies are difficult to do and their success very much depends on the ability of the investigator. However, the skills for doing good case studies have not yet been defined and agreed upon.

Definition

Yin defines case study as 'an empirical inquiry that investigates a contemporary phenomenon within its real life context, especially when the boundaries between

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[144]   Juan Linz& Alfred Stepan-*Problems of Democratic Transition and Consolidation*-John Hopkins University Press-(1996)-p364

[145]   Yin-(2003)-op.cit.p11

phenomenon and context are not clearly defined'.[146]

This means a case study is used when an investigator deliberately wants to cover contextual conditions believing they might be highly pertinent to the phenomenon of study. For example, the British occupied Iraq during WW1 and established a sort of parliamentary democracy which lasted for 37 years but failed in the end. This is relevant to the current democratic process which came about through almost similar circumstances. In fact the Washington Institute for Near Eastern Studies produced a book about the British experience in Iraq with the subtitle 'Lessons from the British Experience'.[147] That's why I went through the recent history of Iraq, exploring the interaction of sectarian politics, and also the background of Islamic doctrines of Islamist parties in order to put their policies in context.[148] The context helps to explain the conduct of politicians and their future moves.

Because phenomenon and contexts are not always distinguishable in real life situations, a set of other characteristics becomes the second part of case study definition:
The case study inquiry copes with the technically distinctive situation in which there will be many more variables of interests than data points as one result, it relies on multiple sources of evidence, with data needing to converge in a triangulating fashion, and as another result, benefits from the prior development of theoretical propositions to guide data collection and analysis.[149]

Case study research can be based on any mix of qualitative and quantitative evidence.[150] The source of evidence in case studies doesn't have to always be based on direct detailed observation. It can be based on any mix of qualitative and quantitative evidence. 'There is a strong and essential common ground between

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[146]   Ibid.p13
[147]   US Policy in Post Saddam Iraq-(ed. Michael Eisenstadt and Eric Mathewson)-The Washington Institute for Near Eastern Policy-(2003)
[148]   Yin-(2003)-op.cit.p13
[149]   Ibid.pp13/14
[150]   Ibid

qualitative and quantitative research…Case studies have a distinctive place in evaluation research'.[151]

It's a way of investigating an empirical topic by following a set of pre-specified procedures. It's remarkably hard, even though it has been traditionally branded as 'soft' possibly because investigators have not followed systematic procedures.[152] But this criticism does not stand if systematic procedures are followed and rigorous checks are made and enough participant views were taken as was the case in this research.

In addition to being an insider, I made sure I have taken all the information and views relevant to my area of research, checking their accuracy and authenticity in the process. I have conducted 47 interviews with prominent politicians, scholars, sociologists, authors, academics and activists with informed opinion and wide knowledge as well as political experience since some of them were ministers, deputy minister, directors and members of parliament. One, Dr Ayad Allawi, was interim Prime Minister between 2004-2005 and currently Vice President.

Case Study Design

Although it might be difficult to have a clear near-perfect research design at the early stages of the research, but it's important to have one which can be adjusted at a later stage if it runs into difficulties or if a better design is found. It's the logic that links the data to be collected (and the conclusion to be drawn) to the initial question of study. The development of case study design needs to maximize four conditions related to design quality. They are: construct validity, internal validity (for explanatory or causal case studies only), external validity and reliability. [153]

Development of research design is a difficult part of doing case studies. But, a

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[151]   Ibid.p15
[152]   Ibid.p17
[153]   Ibid.p19

comprehensive catalogue for case study has not been developed.[154] It's a separate research method that has its own designs, but it has not been codified.[155] The design is the logical sequence that connects the empirical data to a study's initial research question and ultimately to its conclusions. i.e. a research design is a logical plan for getting from here (research question) to there (conclusion).[156]

Nachmias & Nachmias (1992, pp77-78) defines research design as a plan that guides the investigator in the process of collecting, analysing and interpreting observations. It's a logical model of proof that allows the researcher to draw inferences concerning causal relations among the variables under investigation.[157] Philiper, Schwab and Samsloss-(1980), calls research design a 'blueprint of research dealing with at least four problems: What questions to study, what data are relevant, what data to collect and how to analyse the data.

The case study strategy is most likely to be appropriate for 'how' and 'why' questions[158]. But the questions alone do not point to what should be studied, so we need to suggest some propositions in order to move in the right directions, but some studies have legitimate reasons for not having propositions when the whole topic is subject for exploration. But this needs to be clear in the design and the criteria needs to be identified on how to judge the success of the exploration.

In addition to the proposition, a case study also needs a unit of analysis and this is related to defining what the case is. Without a proposition, the investigator is tempted to look at everything.[159] This is important for narrowing the data. The more a study contains specific propositions the more it will stay within feasible limits.
Yin warns of case studies in political science, among others, that they are not easily defined in terms of the beginning or end points of the case. The solution he suggests

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154   Ibid
155   Ibid.p20
156   Ibid
157   Ibid.p21
158   Ibid.p22
159   Ibid.p23

is 'delineating the unit of analysis' which he says needs a different research design and data collection.[160]

The unit of analysis of a case study can be a country's economy, an industry in the marketplace, an economic policy or the trade or capital flow between two countries[161]. In my case study, the unit of analysis is Iraq's democratization post-2003. By engaging the cultural impediments to democratization, my analysis will focus on how the Islamist political players, the most potent and influential force in the country, radically reshaped the democratization process to reflect their socio-religious bias, compounded by their intellectual misunderstanding of democracy as well as their lack of a meaningful nation-building vision. As I was studying the cultural impediments, other related impediments came to the surface and they have all been noted, studied thoroughly and listed.

Because there is a need for 'time boundaries to define the beginning and end of the case'[162], the time boundaries for my case study would be 2003-2014 in which four parliamentary elections took place and three full term parliaments. Three local elections to elect provincial councils and governments were held. These are also important for democratic consolidation, since local governments remits include allocating resources, banning or allowing activities and deciding on holidays.

However, I have looked beyond those dates since I needed to go back to explore sectarian practices and irredentist tendencies since the establishment of the Iraqi state and also examine the characteristics of the regime of Saddam Hussein. I also explored the policies of Islamists parties in the last two years regarding freedom and their treatment of women and how they acted after consolidating their power.

I needed to look at events at the beginning of the last century since they have some impact on events that happened later. For example, the Shia are conscious of the

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[160]   Ibid
[161]   Ibid.p24
[162]   Ibid.p26

fact that in 1921, they lost out because their leaders were intransigent and did not cooperate with the British. Their leaders were determined this time round not to repeat the same mistake. Therefore, I needed to study these events whenever they happened and have them within the design of my research. I studied them in many sources in order to have a view that's close to the truth.

Since there are no academic studies dealing with the Iraqi democratization process in this period, my findings can be regarded as idiosyncratic, although I have drawn on the literature written about democratization elsewhere in the world. There are several books written about the post-Saddam Iraq, the most important of which were Ali Allawi's 'The Occupation of Iraq', Paul Bremer's 'My Year in Iraq', Larry Diamond's 'Squandered Victory', Toby Dodge's 'Iraq: From War to New Authoritarianism' and Ahmed Hashim's 'Insurgency and Counterinsurgency in Iraq' among others. I have referred to them in my research.

The study has looked at the problems faced by countries in southern Europe, Latin America and Eastern Europe as they transited into democratic systems. The study design will embody democratic and liberal theories, looking at the common institutions of democracy, economic, civil and political societies which are necessary to democracy, the role of religion in politics, especially political Islam and the religious basis it stands on. As the study develops, more impediments to democratization in Iraq emerged. Many of these difficulties are similar to what other countries have gone through, so there will be some parallels. The study has also incorporated relevant views of political and intellectual elites expressed in interviews books, reports and news stories.

I have avoided giving myself the role of 'theoretician'.[163] I didn't think it's useful, given the restrictions of time and space, to elaborate on democratic theory beyond stating the basics. In my analysis of the reviewed literature and the collected data, it's inevitable to compare Iraqi democratization to what is prevalent in the world. I have

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[163]   Ibid.p29

reviewed several works which are relevant to the study of democratization and referred to them throughout the study. They have enriched the information I have gathered through field work and elite interviews.

I have avoided falling in statistical generalization of the results of my case study since it's not a sampling unit but a particular case that refers to Iraq given its diversified population makeup and political and religious background. However, some textbooks recommend 'analytic generalization' in case studies.[164] I have developed my own theoretical framework, using the information I have collected from various sources, including elite interviews, field work and reviews of relevant literature, videos, posters, newspapers and websites.

For the evidence to be credible, it must come from multiple sources that encourage convergent lines of inquiry. Also a chain of evidence must be established. To establish validity, there is a need to develop a set of operational measures and avoid subjective judgments when collecting the data.[165]

Certain interviewees linked certain events to previous events or decisions taken by Americans or Iraqis. This was repeated in some interviews but I had to check whether this information could be relied upon through the available facts that I have looked at from various sources. This is done through three analytic tactics: explanation building, addressing rival explanations and using logic models.[166]

For external validity to be established, case studies must rely on analytical generalization, i.e. generalizing a set of results to some broader theory.[167]
A single case study can represent a significant contribution to knowledge and theory building and may meet all of the conditions for testing the theory. It can also represent a unique or extreme case. A single case also represents the critical test for a significant theory. Another rationale for a single case is the representative or

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[164]   Ibid.p33
[165]   Ibid.pp34-36
[166]   Ibid.p36
[167]   Ibid.p37

typical case. The objective is to capture an everyday or commonplace situation. A fourth rationale for a single case study is the revelatory case, and this exists when an investigator has the opportunity to observe and analyse a phenomenon previously inaccessible to scientific investigation.[168]

Perhaps my case study is something similar to this, particularly because I observed and participated in the Iraqi democratic process since in 2003 and I argue I have a unique advantage not available to other researchers. I could uncover previously inaccessible phenomenon, which is the reasons for the failure/faltering/non-consolidation of democratization in Iraq, or perhaps any other Arab or Muslim country for that matter, as they could have similar characteristics. i.e., the Iraqi case can, in some way, be generalised to other countries in the region.

Because the 'Arab Spring' brought demands for democracy in these countries, the Iraqi case could prove to be a sample of what might happen in the region if democratization is to take place there. In fact, when one listens to discussions in Arab countries such as Tunisia, Libya, Egypt, Yemen and Syria, people always refer to Iraq and warn that this should not be repeated there. In both Tunisia and Libya, there was a law similar to 'Deba'athification'. They called it 'political isolation'. In Tunisia, they dropped it.[169] In Libya it's still there. Tunisian Islamist leader, Rached El-Ghannouchi, said that his party voted against political exclusion because of what happened in Iraq.[170]

Although some may believe that conducting a case study is easy and many have been drawn to this strategy for this belief.[171] I contend it's the most difficult and complicated among all other research methods since it needs special skills. At the same time, the rules are not rigid, and this means it offers researchers more freedom of maneuver but this is not always an easy option. If there are strict rules, one could

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[168]   Ibid.pp40-42
[169]   Amal Musa-Al-Sharq Al-Awsat-12/5/2014: https://goo.gl/2ULOLf
[170]   USIP-28/10/2015: https://www.youtube.com/watch?v=oh5iONtbUv8
[171]   Yin-(2003)-op.cit.p58

follow them to the letter. But if they are free, they have a lot of room for discretion and this requires more hard work, analysis and comparisons.

In addition, I benefited from being a participant in the Iraqi political process, as a spokesman for the Governing Council, and as a head of an election list in the first two elections (the Movement for Democratic Society). I knew most of the political leaders and many of the candidates and observers, be they election observers, journalists or academics. I saw the transformation of some politicians from being members of religious parties to secular.

Only an experienced investigator can take advantage of the unexpected opportunities rather than being trapped by them and also exercising sufficient care against potentially biased procedures.[172] A 'good' investigator requires the following skills:
-ask good questions and interpret the answers
-be a good listener and not trapped by his own ideologies or preconceptions
-be adaptive and flexible and treats newly found situations as opportunities not threats
-has a firm grasp of the issues being studied
-be unbiased by preconceived notions, including those derived from theory, thus should be sensitive and responsive to contradictory evidence.[173]

I was careful regarding potential bias although I was never partisan. But, I am secular liberal, normally critical of Islamist or conservative politicians. But as a researcher, I was looking for the truth regardless of what is favourable to me. I needed credible and new information, so I had to be a good listener, adaptive, flexible, and responsive to contradictory evidence. I also asked relevant questions as this was a prerequisite for case study investigators.[174] I was never trapped in any ideology or preconceived ideas, so I had a clear inquiring mind when I collected

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[172]   Ibid.pp58-59
[173]   Ibid.p59
[174]   Ibid.59

data.[175]

Collecting information is never easy and specific information that may become relevant to a case study is not readily predictable, so the data collection and analysis are likely to be exhausting. Research is about questions not necessarily about answers.[176] Rigid formula cannot be relied upon to guide the research. I used my discretion with regards to the difficulties I faced, and I was helped by the fact that I knew the field well, be it the country, culture, language, people, religion, or politics and politicians.

Listening means receiving information and a good listener can assimilate a large amount of new information without bias. Any new information has to be corroborated with other sources of information. Good listeners can find information between the lines. As Yin stated, very few case studies end up as they started.[177] You might start up looking for one thing but you end up finding another. I was not shocked to find new information. As the research progressed, new questions presented themselves, this prompted me to go back to searching for information and conducting new interviews which can be found in appendix; 1 with a total of 50 interviews.

I was aware of the religious and cultural impediments, but there were other information that also proved vital, such as family, tribal, regional and sectarian loyalties which were outlined or alluded to by some of the interviewees. There were also claims of intervention by outside powers such as the US, Iran, Turkey and UN as well as claims of vote-rigging. Regardless of how credible these allegations were, the fact that many participants believe them, and backed their claims with evidence means they must also add something to the research. I may have changed direction without even knowing it. Indeed, when I began, I had in mind two or three reasons for the non-consolidation of Iraqi democracy (mainly culture, religion, sectarianism and weak sponsor commitment). But I ended up with 20.

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[175]   Ibid
[176]   Ibid.pp59-60
[177]   Ibid.p60

In collecting data, I used several means, among which are tape recorder, taking notes and using emails or the three together in order to make sure I get the right information. An investigator is like a detective. He/she arrives after the crime has occurred and has to make inferences about what has actually happened.[178] In my case I was 'at the scene of the crime'!

Democratization is vast and multidimensional. There are cultural, religious, social and economic elements to it; that's why I had to interview more people than I planned originally and this required more time and effort. This is the reason why this study lasted longer than originally planned. Since there were many countries democratised in the third wave, I needed to review more literature to find out about impediments that other countries had faced. I have found the cases of Spain, Argentina, Hungary and Romania very useful.

Protocol

A case study protocol is an effective way of increasing the reliability of case studies and is intended to guide the investigator in carrying out the data collection from a single case study.[179] But it was not easy to follow the planned protocol as there are many developments on the ground that forced me to change it. The security situation was unhelpful even for my interviewees. Some people were not very comfortable talking to an academic investigator; others do not use emails to write their answers if you cannot meet up with them. One intended interviewee, Haider Al-Abadi, suddenly became prime minister and became out of bounds.

One section of the protocol is to have study questions ready.[180] As the research progressed and I completed my interviews and got the answers, I discovered there were more questions to be asked, so I conducted more interviews on article 2 of the constitution, Deba'athification, Kurds and stateness, Islamists' hostility to democracy

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178   Ibid.p61
179   Ibid-p67
180   Ibid-p69

and whether Saddam's regime's grip on power loosened after sanctions were imposed.

Throughout the research, I made sure that my interviewees came from different backgrounds, politically, ethnically, culturally, and educationally. This was important in order to have full and accurate picture of the situation. I also had experts on economics, oil, sociology, elections, the Kurdish issue, law, religion and the constitution. I chose 28 distinguished people, and some of them were interviewed several times on different issues.

Since a case study is a study of real life events within their life contexts,[181] I had to adjust to interviewees' schedules and availability. The nature of the interview is open-ended and interviewees may not answer all the questions. Circumstances are not always helpful, and you always find people who are not willing to tell you everything they know. In some cases I had to invite people to secured restaurants or hotels in Baghdad, Beirut and London in order to interview them.

There are five levels of questions to be asked. Level 1 is the questions asked to specific interviewees. Level 2 are the questions asked of the individual case. Level 3 are asked of the pattern of the findings. Level 4 are questions asked beyond the case study evidence, including other literature or published data and level 5 are normative questions about policy recommendations and conclusions.[182]

I had no problem sustaining an interview with new relevant questions until I get good and relevant answers to my research. I was trained on interviewing by BBC, in addition to the valuable instructions from my supervisor. The questions do not have to be asked literally to the interviewee but they are there in order to structure the inquiry.[183]

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[181]   Ibid-p72
[182]   Ibid.p74
[183]   Ibid

Selecting the candidates for the research was not easy, although I had a wide range of choices of politicians, writers, academics and journalists. But that choice added to the problem as I needed to decide which of the people I had in mind were more relevant. I chose those who have played an important part or who really knew what had happened and they had an informed opinion that may add to my information. A few would have probably been enough but I wanted to be sure that the information and opinions I have collected about individuals, parties, groups and the process of democratization are accurate, impartial and not one-sided.

There are six sources of evidence: documents, archival records, interviews, direct observation, participant observation and physical artefacts.[184] In my research I used multiple sources of evidence, and almost all the above, even though any source can and have been the sole basis for entire studies.[185]

The multiple sources of evidence in case studies allow an investigator to have a broad range of historical, attitudinal and behavioural issues. Any finding or conclusion is likely to be more convincing when multiple sources are used, rather than a single source.[186] I may have relied more on interviews, documents and direct observations. But I used other forms and added to the six sources the use of videos, films, election posters, audios and photographs.

Evidence has to be checked for authenticity and accuracy. 'Every document was written for a specific purpose and specific audience other than the case study investigator'.[187] But if documentary evidence is contradictory, rather than corroboratory there is a need for further investigation. Inferences are clues, not findings as they can be false.[188]

Although some studies depended on a single source, such as participant-

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[184]   Ibid.p83
[185]   Ibid.p97
[186]   Ibid.p98
[187]   Ibi.p87
[188]   Ibid.

observation, others on archival records alone, this is not recommended. A major strength of case study data collection is the use of multiple sources of evidence to corroborate different facts.[189]

Reports have to be checked for accuracy since inaccuracy is not so uncommon. Relying on information provided by the media or even think tanks is not always wise. One report by US Army War College quoted Iraqi VP, Ayad Allawi, as saying there were 250,000 volunteers in the Popular Mobilization Unit (PMU).[190] The quoted source was the Kuwaiti newspaper; *Al-Siyasa*. When I checked the source in Arabic, I found out the newspaper never quoted VP Ayad Allawi, but an unknown person in his party![191] If an organization such as the US Army War College could make such an inaccuracy, other media outlets could easily do it.

Even foreign media could not distinguish accurate from inaccurate information. On 17th July 2004, an Australian TV report and the Herald newspaper claimed that the interim PM, Ayad Allawi, executed insurgents personally just days after he took office and the Interior Minister 'congratulated' him![192] This was not believable even in an Iraqi context that's rife with rumours; yet an Australian TV programme broadcast it believing it to be true. With such an environment of widespread rumours, claims and counterclaims, there was a need for a focused and knowledgeable investigator attentive to details and committed to producing accurate information and sound evidence.

There is a tendency to exaggerate or even make up stories and portray opinions as facts. Therefore, I needed to look for convincing evidence to support the information I gathered.

Gathering the evidence is important but analysing it is more important and difficult.

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[189]   Ibid.p97
[190]   Norman Cidar-US Army War College-(June-2015)-op.cit.p7-(the quoted source is in footnote 10, p71): http://www.strategicstudiesinstitute.army.mil/pdffiles/PUB1272.pdf
[191]   Al-siyasa Newspaper-4/1/2015: https://goo.gl/BzoU71
[192]   Sunday Morning Herald-17/7/2004. http://www.smh.com.au/articles/2004/07/16/1089694568757.html

The best preparation for conducting case study analysis is to have a 'general analytic strategy'.[193] Yin states analysing case study evidence is 'one of the least developed and most difficult aspects of case studies'.[194] However, the preferred strategy is to follow the theoretical propositions that led to the launch of the case study in the first place. The original objectives and design of the case study were based on propositions, which are examples of a theoretical orientation guiding the case study analysis.[195]

Original theoretical prepositions could include rival explanations or hypotheses, i.e. examining democratic processes in other countries under similar circumstances, or looking at other reasons that might have caused this failure and eliminating them. For example, the Ceausescu regime in Romania didn't allow the development of civil, political and economic societies in the country, which are necessary for democratization, and this, among other reasons, has led to problems in democratising the country after the fall of the regime. This is similar to the situation in Iraq since the Saddam regime has many similar characteristics to Ceausescu's.

There is a need to understand the conditions under which new research findings can benefit society. Research must meet practical needs, not just serve itself.[196] Since the welfare of the Iraqi people depends on the success of the political system in managing their affairs and impeding the emergence of new dictatorship, the findings of this study will be relevant to the effort of building a true democracy in Iraq.

I have arranged some events chronologically to examine the changes that happened in the intervening time between the events in question and what might have actually brought these changes about. Compiling chronological events is a common technique in case studies and may be considered a special form of time-series analysis. Arraying events into chronology can have an important analytical purpose

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[193]   Yin-(2003)-op.cit.p115
[194]   Ibid.p109
[195]   Ibid.pp109,111&112
[196]   Ibid.p118

to investigate presumed causal events.[197]

Evidence should address the most significant aspect of the case study. Digressions must be avoided in order to strengthen the analysis against any criticism that the main issue was avoided because of possible negative findings. Prior expert knowledge should be used in the case study. It must demonstrate the awareness of current thinking and discourse about the case study topic.[198]

Theory Building

Case studies generally cover events over time; one approach is to present the case study evidence in a chronological order. This approach serves an important purpose in explanatory case studies.[199]

I chose a structure for the thesis that builds up the argument so that at conclusion, I would have gone through all the collected data and evidence.

'The sequence of chapters will follow some theory building logic which will depend on the specific topic and theory but each chapter should reveal a new part of the theoretical argument made. If structured well, the entire sequence can produce a compelling argument. It's relevant to both explanatory and exploratory case studies'.[200] For example, the next chapter is dedicated to liberty then democracy. Liberty is the basis of democracy and it's most important to explain it before moving to democracy, democratization, religion and politics, political Islam only to pave the way for an informed discussion about impediments to democracy in chapters 7-12.

Anonymity can be justified 'when dealing with a controversial case in order to protect the real case and/or the individuals/participants'. Individuals can sometimes be named but without attributing any point of view to a single individual'.[201] I didn't need to rely on anonymous witnesses due to having a wider choice of people who were prepared to talk openly about their real views and experiences.

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[197]   Ibid.p125
[198]   Ibid.p137
[199]   Ibid.p152/3
[200]   Ibid.p154
[201]   Ibid.158

In consulting political memoirs, both written and recorded, I have found that politician-authors, in Iraq and the larger Arab world, aspire not only to record facts and provide personal accounts but also to vindicate their political positions and stances during their political careers. This may not be peculiar to Iraq but admissions of error or guilt and self-critical writings are still rare.

I have also explored the literature produced by research centres and websites. While almost every fine detail is available, sifting through the massive amount of information requires special filtering efforts to reduce information overload to make sure that the information I incorporate is accurate.

Sourcing online information might be complex and challenging. However, any information obtained through this way has been evaluated in terms of quality and screened for reliability and accuracy. The credibility of the material has also been checked through techniques such as verifying the authors' credentials, the exercise of rigorous quality control by the publishers (such as in the case of websites of established and credible institutions and media outlets), and cross-checking information with other sources.

Weighing up the Evidence

The case study method had given me the freedom to gather the information I needed without the rigidity associated with other methods. This has allowed me to employ qualitative and quantitative research techniques. But with all the freedom associated with it, it wasn't easy since I needed to apply rigorous checks on the information I gathered and carry out many interviews to arrive at sound conclusions. Originally I was planning to interview 20 people who were directly involved in one way or another in the political process. Once I have interviewed those twenty and analysed their input, I discovered I needed to interview others who can provide more information on certain aspects of the process. While the questions I prepared originally were relevant and pertinent to the democratic process, they opened up more subjects and raised more questions in my mind.

By asking questions about the effect of wearing religious cloth on the electorate and the sectarian motives of the parties and electorate, I was able to gauge how far religion and sectarianism were used in Iraqi politics and how far they have influenced people's votes. Nearly all my interviewees acknowledged that people voted on sectarian basis and most of them acknowledged the negative role played by the use of religion in politics, including some Islamists. I also found out that since people were moved by the religious discourse, they neglected to ask politicians about their economic programmes or their intentions of how to improve essential services such as electricity, education and health. All major issues were neglected by both candidates and voters in the midst of election fever and religious frenzy.

When I asked whether the religious discourse helped candidates get votes, then I asked whether this has brought unqualified people to power, I was able to get answers about the reasons for the difficulties the democratization process was facing and this is linked to the employment of religion and sectarianism in politics. This has led me to conclude that the use of religion in politics was harmful to the interest of the people, the democratic process and consequently the country at large and perhaps the region and the world since the ensuing weakness and instability of Iraq led to the spread of terrorism and instability of the area. This is because using religion or sectarianism enables candidates to hide their personal inabilities and get elected without having a political or economic programme. This idea of religion and politics is also connected well with the literature I had already studied, especially John Rawls' liberalism and Ali Abdur-Razik's 'Islam and the Fundamentals of Governance' on the necessity of leaving religion out of politics.

In the light of new evidence and the increasing number of reasons for the difficulties facing democracy in Iraq, I needed to interview more people who were not necessarily politicians, who usually hold strong views and are naturally biased, but intellectuals, economists, sociologists, poets, experts on certain issues and other professionals. I also needed to interview people who endured life under Saddam Hussein, be they politicians or apolitical, to tell me about whether the regime changed its tactics after the weakening of its hold on the country after its invasion of

Kuwait 1990 which led to the imposition of UN sanctions on Iraq, or managed to maintain its iron fist on the people nevertheless.

This was important to determine the type of non-democratic regime existed in Iraq prior to the change since it's relevant to democratization which depends on the existence of civil, political and economic societies as well as state bureaucracy and rule of law in order to succeed. I needed to interview sociologists in particular who could analyse the cultural and psychological status of Iraqi society and what they think is needed for democratization to succeed in Iraq and what should be implemented for it to succeed.

The prominent sociologist I interviewed, Dr Ibrahim Al-Haidari, was also an expert on German issues since he lived and studied in Germany for a long time and translated important works of German writers and thinkers such as those of Habermas. This enticed me to ask him about the process of Deba'athification and whether it was comparable with de-nazification. This has helped me understand that the Deba'athification was not really necessary in Iraq and there was no need to emulate the German experience as circumstances, culture and geopolitics were totally different.

When former PM Dr Ayad Allawi said the existence of many Islamists parties made them not sectarian, I began to doubt whether sectarianism was a cause for the failure of democracy in Iraq because there were many Islamists parties in politics, not just one party, so I needed to interview Dr Khalil Osman, an expert on sectarianism in Iraq, who had recently published a book on the matter. Dr Osman told me that Dr Allawi was wrong on this issue as his findings on the ground proved otherwise.

When I interviewed Islamist politicians such as Dr Walid Al-Hilli, Sami Al-Askari and Dr Adil Abur-Raheem Muhammed, they kept talking about 'democratic mechanisms' which indicated to me via ethnographic evidence that they did not really believe in democracy but in its mechanisms. I needed to confirm it, so I went back to interview the former Islamist MP and senior member of the Islamic Da'awa Party, Mr Dia Shakarchi on the reasons behind Islamists' rejection of democracy. He was in a

position to tell me more than anyone else for a number of reasons, among which is the fact that he was a cleric, so he knew Islamic theology well, and he was an Islamist MP and senior member of the Islamic Da'awa Party, so he knew their way of thinking well. This new information would not have been available if I had not asked the original questions which made the Islamists reveal their true intentions about democracy.

When Dr Adil Abdur-Raheem Muhammed suggested that Islamists could be interested in economic and political issues while secular parties could turn sectarian, I had to make sure from different sources that Islamists are more prone to be sectarian because of their ideology which is naturally divisive in a society that is not well-ordered and deeply divided as per the classification introduced by John Rawls. Islamists' tendency towards sectarianism was also confirmed by Mr Dia Shakarchi among others.

Dr Faleh Abdul-Jabbar made clear the contradiction in the constitution, and in particular Article 2 which had two paragraphs, A and B, that contradict each other. This information, though was clear to me in advance, made me investigate the issue further, so I conducted more interviews on it with MP Maysoon Aldamluji, Dr Akeel Abbas, Dr Kadom Shubber among others until the issue was thoroughly investigated and the evidence was clear that the constitution was an impediment to democratization since it allowed Islamists to introduce anti-democratic laws such as the personal status and alcohol ban laws where article 2A was used by Islamists to justify them as Miss Aldamluji clearly said.

Dr Hussein Al-Hindawi made clear to me in his interview that those Islamists who wrote the constitution were not even expert on Islamic law. But Dr Hindawi also mentioned something about Gen. Franco believing in democracy. Although he was clearly inaccurate, it made me investigate the Spanish experience and find parallels with the Iraqi one. This has opened up my mind to another impediment to democracy which the Spanish were able to avoid, and that was political inclusion. Another evidence that came out of the Spanish experience was the leadership factor and how the lack of capable leaders in Iraq was a cause for the failure in the Iraqi

experience while it was cause for success in the Spanish one due to the 'innovative leadership of Prime Minister Adolfo Suarez' as Linz & Stepan put it.

Dr Abdulkhaliq Hussein said he was 'confident' that politicians who have given a false impression that their parties were favoured by the religious leader 'will fail' and 'their attempts will be counterproductive'. This issue required further investigation, so I had to look back at the electoral records of such parties and individuals over three general elections and three provincial elections. I have found out that those individuals and parties have not really suffered as a result of claiming falsely the backing of the religious establishment. In fact they have won elections after elections and have become prominent, rich and powerful through these false claims. People's memory is very short while religion is a potent force in the words of Mr Samir Sumaidaie and 'deep-rooted in Iraq as Dr Abdul-Khaliq Hussein said.

What is worse is that since pretending to be religious brought more votes, even the non-religious and previously irreligious Marxists claimed to be religious in order to get elected. This false spirit of 'political religiosity' as Dr Akeel Abbas called it, will deepen sectarian identities and undermine Iraq's national identity which is important for the consolidation of democracy, and it's 'not a condition for integrity or efficiency' as Mr Sharwan Al-Waeli said.

Dr Wahda Al-Jumaili talked about the role of the Kurds, and how their policies were a threat to democracy in Iraq. This has opened up the whole issue of irredenta, and it's adverse effect on democratization. Although I had explored irredenta as part of the literature review and it was established that it's a destabilising factor for democracy, I now have a view from an Iraqi Arab MP who is also a legal expert, that irredenta in Iraq is a problem for democracy. This has made it imperative to take an expert view on Kurdish affairs from a Kurdish intellectual who is close to the political establishment. I approached the prominent Kurdish writer and journalist, Kamran Qaradaghi, who was also the presidential chief of staff of the former Iraqi Kurdish President Jalal Talabani. Qaradaghi's contribution to the research was valuable because he confirmed the irredentist aspirations of the Kurds and said the Kurds have actually made up their minds that independence was the solution to their

problem. With this view, the problem of irredenta in Iraq has been established in practice as it was established in theory.

American errors were apparent to all, but it was important to take the view of experts on whether they constituted an impediment to democratization. Most of my interviewees made it clear that they constituted an impediment including the election commission president, Hussein Hindawi, and interim PM Ayad Allawi who was an ally of America. MP Shirouq Al-Abayachi went as far as saying it was intentional as the Americans wanted to bring terrorists to Iraq to fight them on its soil. The American advisor for democracy, Larry Diamond, made it clear in his book 'Squandered Victory' that democracy in Iraq needed a long-term American commitment and billions of dollars to succeed.

The extent of regional interference in Iraqi affairs to block the development of democracy was also made clear by interviewees, but there was an area that needed deeper investigation and that is Shia reliance on Iran for protection and support and how this could compromise democracy in Iraq since Iran is not a democracy but a theocracy. I carried out more interviews on this issue with informed people from Sunni and Shia backgrounds, and I established that discrimination against Shia in the Islamic Sunni world does exist and this is one reason why the Iraqi Shia feel they need Iranian protection and support even if it comes at the expense of democracy which Islamists do not believe in anyway.

Although interviews provided me with important information, I didn't rely on them on their own. It was corroborated by information available in text books and evidence from the experience of other countries as well as my own observations and ethnographic evidence I arrived at via interviews. Anything that wasn't supported by evidence was not accepted.

As Yin stated, a major strength of case study data collection is the use of multiple sources of evidence to corroborate different facts.[202] I have used multiple sources, rather than a single source, and also used triangulation; therefore my conclusions

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[202]   Ibid.p97

are safe and reliable. When documentary evidence is contradictory, rather than corroboratory, there is a need for further investigation. Whenever I was in doubt about any issue, throughout this study, I investigated further until I established the evidence.
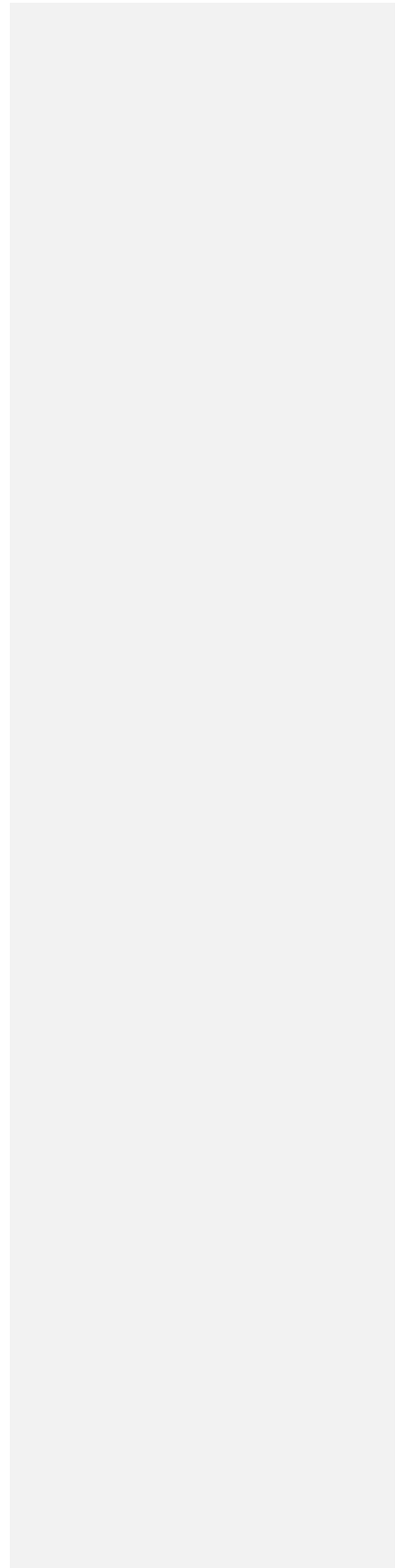
Chapter 3

Liberty and Democracy

Liberty

Liberty is one of the important bases for democracy. The work of John Stuart Mill in this regard is emphasised here because he set out the basic tenets of modern liberalism, building on the work of his father, James Mill, and the philosopher, Jeremy Bentham, to explore the building of a modern liberal democratic state. This is something to which parts of Iraq aspire and others clearly do not. Mill is famous in the Arab world and highly regarded by intellectuals and learned individuals in Iraq. Although his ideas were expressed in the early 19th century, they are still as relevant in the early 21st century for the purpose of this thesis. Indeed they supply something of a benchmark against which Iraq may be measured.

John Stuart Mill defines liberty as the protection against the tyranny of political rulers, where he puts the rulers in 'a necessarily antagonistic position to the people whom they ruled'. [203] He expressed liberty in terms of the limitation of the power of the rulers. 'The aim of the patriots was to set limits to the power which the ruler should be suffered to exercise over the community and this limitation is what they called liberty'.[204] Limiting the ruler's power is done in two ways. First via 'a recognition of certain immunities called political liberties or rights'. If the ruler infringed on these rights, specific resistance or general rebellion was held to be justifiable. Second, through 'the establishment of constitutional checks' by consent of the community or those who represent its interests.[205]

The implication here runs against a dominant view that the interests of the rulers are 'habitually opposed to those of the people'. But under democracy, the dynamic has changed. The rulers should now be 'identified with the people and their interests and

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[203]   John Stuart Mill-'*On Liberty*'-Dover Publications-New York-(2002)-p1
[204]   Ibid.p2
[205]   Ibid

will should be the interests and will of the people'.[206] This is so because rulers are now elected by the people to represent the popular will rather than imposed through coercion.

Mill defines 'the will of the people as meaning 'the will of the most numerous of the most active part of the people; the majority or those who succeeded in making themselves accepted as the majority'. This majority may desire to 'oppress a part of their number' which necessitates precautions against this trend to prevent the abuse of majoritarian power.[207] This is what Mill calls 'the tyranny of the majority'; something he regarded as an 'evil' which society needs to guard against.[208]

One of the least understood tenets of democracy in Iraq is nature of rights in a democratic system. The dominant understanding, promoted by the political class, emphasizes group rights rather than individual rights. In this context, groups are understood as primordial and fixed identities into whose membership all Iraqis have to belong in order to be represented and "enjoy" their rights as part of the group.

Women for example are treated as a group not individuals. Muslims are also treated as a group with no variations among them. Politicians always talk about Muslim or Shia majority, dismissing individuality altogether. Islamic Fadheela Party-(IFP), sought in 2014 to legislate for Shia personal status law whereby 9-year-old girls would be eligible to marry.[209] The bill was passed by the council of ministers and it could become law if parliament approved it, something that didn't happen. On 24th October 2016, parliament passed a law to ban alcohol in the whole of Iraq on the basis of the 'Muslims majority'.[210] Mahmoud Al-Hassan, the head of the parliamentary legal committee, announced after the adoption of the law that 'anyone

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[206]   Ibid
[207]   Ibid.p3
[208]   Ibid.p4
[209]   Mushreq Abbas-*'Iraqi Justice Minister Presses Shiite Personal Status Law'*-Al-Monitor-3/3/2014: https://goo.gl/iLQcUf
[210]   BBC-*Iraq alcohol: Parliament imposes ban in a surprise move*-23/10/2016: http://www.bbc.co.uk/news/world-middle-east-37743180

who objects to this law is indirectly objecting to God's law and he will be prosecuted'.[211] Islamist rule is basically the tyranny of the majority.

Tolerance with 'Tacit Reserves'

Liberty, as a socio-political right in any functioning democracy, is often challenged by religious beliefs asserting absolutist, universalist messages. This challenge commonly translates into intolerance toward non-religious lifestyles or ideas. Mill correctly argues that intolerance about the things that people care about is 'so natural' to mankind and thus, religious freedom has hardly existed anywhere. He argues that tolerance in the minds of religious persons always comes with 'tacit reserves' even in the most tolerant of countries.[212]

Intolerance is widespread in Iraqi religious society, with some zealots taking the law into their hands at times of weak state control.[213] What fuels this religious zeal is the moralist, truth-possessing nature of both political Islam and mainstream religious beliefs in Iraq, both Sunni and Shia. The public expressions of those beliefs are also partially contradictory because of the Shia-Sunni doctrinal differences, something that causes violence and discord among people. Indeed, the emergence of Sunni and Shia doctrines in Islam is associated with the disputes dating back 1400 years ago, and any expression of such beliefs invokes those old differences between the two sects. This is not conducive to public peace or order.

One example of those differences is the *Husseini* rituals, commemorating the tragic death of Hussein, the third Shia Imam, in Karbala in 680. Although these rituals have been part of the Iraqi culture for a long time, practiced by Shia, but also accepted by Sunnis, they come to acquire a divisive political meaning post-2003, away from the agreed-upon, communal socio-religious meaning of sorrow and solidarity in the past. In the new Iraq, these rituals point to the political dominance of the Shia as

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[211]   Mahmoud Al-Hassan-Video-(Arabic): https://www.youtube.com/watch?v=1m5S-M8GLqU
[212]   Mill-(2002)-op.cit.p7
[213]   Sami Al-Askari-appendix-1, p22. See also: Patrick Cockburn-*MuqtadaAl-Sadr: The Shia Revival and the Struggle for Iraq*-Simon& Schuster-(2008)-p173

previously oppressed majority (by the Sunni minority) who come now to assert their "rightful control" over the state and the society.

One manifestation of this control is the official mainstreaming of these rituals as a sign of Iraqism whereby the state officially promotes them, expecting its Sunni citizens to do the same. This removes these rituals from the realm of society and faith, as they have been historically, bringing them into that of politics and the state in post-2003 Iraq. This problematic approach has sown division and distrust among Iraqis based on their sectarian affiliation. Any criticism of these politicized rituals nowadays is seen as a criticism of Shiaism as a religious creed, a deliberate offense to the entire group of Shia, and an encroachment on the liberty of a group.

In the founding literature on democracy the state or society is only warranted to interfere with individuals' liberty when there is a need for self protection. This is the position that Mill asserts 'That the only purpose for which power can be rightfully exercised over any member of the civilized community against his will is to prevent harm to others'.[214] Additionally, the individual is 'sovereign' over himself, his own body and mind' except those who are 'in a waste to require being taken care of by others (who) must be protected against their own actions as well as against external injury'.[215] Constraining the individual by the interest of others entails other benefits to society, as it will entice him/her to do other services to society which he/she can benefit from such as contributing to a common good like defence or any other common interest of society.

Human liberty must consist of liberty of consciousness in all its manifestations (liberty of thought and feeling and absolute freedom of opinion and sentiment on all subjects). As for the liberty of expressing and publishing opinion, it falls under another principle since it's connected to others, but it's no less important than the

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[214]   Mill-(2002)-op.cit.p8

[215]   Ibid

freedom of thought. It also consists of liberty of taste and pursuit, planning our life to suit our own character, doing what we like without impediment from others provided we are not causing any harm to them.

Then comes the collective freedoms which include the freedom to unite for any purpose not involving harm to others and the persons uniting are of full age and not forced or deceived. These liberties are so important to society that 'no society, in which these liberties are not, on the whole, respected, is free…and none is completely free in which they do not exist absolute and unqualified'. Mill continues stating that 'the only freedom which deserves the name is that of pursuing our own good in our own way, so long as we do not attempt to deprive others of theirs, or impede their efforts to obtain it'.[216] 'Mankind are greater gainers by suffering each other to live as seems good to themselves, than by compelling each other as seems good to the rest' Mill contends.

Unfortunately, many Muslim believers disagree with this principle. They believe it's their heavenly duty to stop others from doing what they call as 'vice' under the principle of 'Promotion of virtue and Prevention of Vice'. In some Muslim countries, there is religious police whose duty is to compel people to behave in a certain way.[217] Sharia law limits individuals' freedoms in many ways. This unitary and truth-possessing mentality fuels always the desire to interfere with people's personal lives in order "to correct" them, by making them virtuous, standard practices in Saudi Arabia and Iran. These practices are now on the rise in Iraq after 2003. Although there are no laws to support this interference in Iraq, unlike the cases of Iran and Saudi Arabia where this interference is mandated by law, the emerging religious piety among many Iraqis made such interferences culturally acceptable, if not tacitly encouraged by Islamist parties at the helm of power. This only highlights the importance of separating the state from religion in the troubled nascent Iraqi democracy.

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[216]   Ibid.p10
[217]   Nabil Mouline-'*the Clerics of Islam*'-Yale University Press-(2014)-p147& pp203-234

Mill interprets the separation of religion and politics as 'placing the direction of men's consciences in other hands than those which controlled their worldly affairs'.[218] But 'the disposition of mankind, whether rulers or fellow citizens, to impose their own opinions and inclinations as a rule of conduct on others, is so energetically supported by some of the best and some of the worst feelings incident to human nature, that it is hardly ever kept under restraint by anything but want of power'. [219]

Since Islamists came to power, women have been under increasing pressures to wear Islamic head scarf (*hijab)* and there are hardly any women not wearing it outside Baghdad. Even in Baghdad, the number of women who are not wearing *hijab* is decreasing. Some ministries which are managed by Islamists have issued guidelines for women how to dress up.[220] Signs have been placed in road junctions and on front walls of institutions to tell women to be wear *hijab*. Some signs have even asked Christian women to wear *hijab*![221]

Freedom of Expression

Not many doubt the importance of the freedom of the press to expose corruption and prevent despotism. In fact Mill contends 'the time… is gone by when any defence would be necessary of 'the liberty of the press' as one of the securities against corrupt and tyrannical government'.[222] Any government that attempts to control the expression of opinion 'will make itself the organ of general intolerance of the public'.[223]

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[218]   Mill-(2002)-op.cit.p11

[219]   Ibid.p11-12

[220]   Adnan AbuZeed, 'To Veil or not to Veil: Iraqi Women face scrutiny over their choices'-Al-Monitor-24/8/2015: https://goo.gl/bpwllc

[221]   Christian Dogma-'*In Pictures: Posters call upon Christians Women to Wear Hijab'*-14/12/2015: https://goo.gl/snl9DF

[222]   Ibid.p13
[223]   Ibid.p14

Mill regards the freedom of expression as sacrosanct. 'If all mankind minus one were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind'. [224]

Silencing the expression of an opinion is 'robbing the human race, posterity as well as the existing generation, those who dissent from the opinion more than those who hold it' because 'if the opinion is right, they are deprived of the opportunity of exchanging error for truth: if wrong, they lose what is almost as a great benefit, the clearer perception and livelier impression of truth produced by its collision with error'.[225] He continues; 'we can never be sure that the opinion we are endeavouring to stifle is a false opinion, and if we were sure, stifling it would be an evil still'.[226] This is because those who try to suppress the opinion have no authority to decide the question for mankind while excluding all others from the means of judging it. By opting to decide the idea was wrong, they are assuming they are infallible.

In theory, Mill argues, we all agree we are fallible. In practice, we do not take the necessary precautions against our fallibility. Absolute princes or rulers are accustomed to unlimited deference. They feel so confident in their opinions on nearly all subjects.[227] - 'One devolves upon his world the responsibility of being in the right against the dissentient worlds of other people and it never bothers him that mere accident has decided which of these numerous worlds is the object of his reliance and that the same causes which made him a churchman in London would have made him a Buddhist or a Confucian in Peking'. [228]

This is a fact that is so absent from the thinking of religious people with missionary zeal in general. In Iraq, members of a family who were brought up in Anbar or Tikrit are Sunnis, while their cousins who live in Karbala or Samawa are Shia. Shia tribes in southern Iraq are members of the great Sunni clans and confederations in the

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[224]   Ibid
[225]   Ibid
[226]   Ibid
[227]   Ibid.p15
[228]   Ibid

Arabian Peninsula.[229] But they follow different religious doctrines due to living under different circumstances.

Mill acknowledges opinions do change over ages and the ones that one age regards as valid, other ages consider absurd. This will go on and our ideas now won't be suitable for future generations. That's why if we do not act on our opinions just because they might be wrong, we will never be able to perform our duties or care for our interests. [230]

Governments and individuals must, therefore, 'form the truest opinion they can, form them carefully and never impose them upon others unless they are quite sure of being right'. But once they are sure, it would be cowardice, not conscientiousness to shrink from acting on their opinion. 'Men and governments must act to the best of their ability. There is no such thing as absolute certainty but there is assurance sufficient for the purposes of human life'.[231]

The main point here is that opinions must not be imposed on others unless they there is a high degree of certainty about their correctness and this is not always possible. Also, opinions do change over time, and what was correct in the past may not be correct now. But Islamic fundamentalists treat all opinions of imams and caliphs as sacred that you cannot discuss or argue against and this is a real problem for modern Muslim states in general and for democracy in particular.

The Shia faithful believe in the principle of the infallibility of the Prophet and the Twelve Imams and their sayings and traditions are taken without any discussion or objection because the imams are infallible.[232] Devout Shia travel to holy places on foot, instead of using cars or other modern means of transport.[233] This causes

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[229]   Judith Yaphe-(Eisenstadt& Mathewson-(2003)-op.cit.p39)

[230]   Mill-2002)-op.cit.p16

[231]   Ibid

[232]   Mohammed Hussein Al-Ansari-*Infallibility in Shia School of Thought*-Alansari Foundation& Al-Mahdi Media-Sydney-(no date)-p29: https://goo.gl/lyp5an

[233]   Susannah George- *Millions of Shiite pilgrims flock to Iraqi holy city for annual Arbaeen commemorations*-Associated Press-2/12/2015: https://goo.gl/XXYyF4

disruption across the country from road closures, government and other businesses stoppages, to the loss of many work days several times every year. They visit shrines on foot because they are emulating imams and other revered leaders and pious persons who did it in the past. They are also following a religious principle which says 'the greater the hardship' the greater the reward'![234] This means, the more hardship they endure during their pilgrimage, the more reward they will get in Heaven.

What is noteworthy here is the widespread promotion of these rituals through religious propaganda in an attempt to make them a regular norm of Iraq's national life. It is quite dangerous to engage in any kind of public discussion in Iraq where one can criticize the continuous promotion of these rituals. An opinion like this falls outside legitimate difference in Iraq; it can cost a person his/her life. Practically speaking, discussing these rituals in a critical way does not fall within a person's democratic rights.

According to Mill 'we must assume that our opinions to be true for the guidance of our conduct and it is assuming no more when we forbid bad men to pervert society by the propagation of opinion which we regard as false and pernicious'. [235]

Persecution of opinion is deemed harmful to society. Some believe persecution cannot harm the truth since it will serve to promote it. But this is not always the case. In his attempt to refute such a claim, Mill catalogues the number of ideas and people who disappeared due to persecution. 'History teems with instances of truths put down by persecution. If not suppressed forever, it may be thrown back for centuries'.[236] The Reformation broke out at least twenty times and put down before the triumph of Martin Luther. Mill's conclusion is that persecution has always

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See also Najaf-Karbala Walking Guide for religious justification for performing pilgrimage (ziyarat) on foot: http://www.najaftokarbala.info/

[234] Centre of Fatwa- *The correct understanding of the phrase 'Reward is as much as hardship'*-(Arabic)-Islam Web-26/7/2007. (It explains the virtues of travelling on foot): https://goo.gl/UhooBk

Also, see Abu Uwais-*The Greater the Hardship, The Greater the Reward*-Tawheed First-(English): https://goo.gl/hcXg63

[235] Ibid

[236] Ibid.p23

succeeded, and the survival of the heretics is because they were too strong a party to defeat.

This actually explains why secularism has not succeeded in the Muslim world so far. It's the persecution of all new ideas that lack religious backing. There are many examples of successful persecution of ideas and groups in Islamic history where reform movements were put down or eradicated completely. One such movement was 'Akhwan-al-safa' (the Brothers of Tranquility) which appeared in Basra around the end of the tenth century AD and remained secret until it disappeared due to persecution.[237] In modern times many irreligious ideas or groups appeared but didn't last due to persecution.

A Marxist study group by the name of *Mutadarisi al-Afkār al-Ḥurrah or* 'Free Ideas Contemplators', began publishing a paper called al-Ṣaḥifah but it was quickly closed down by the authorities because it contained attacks on religion. A political party by the name 'Free Non-religious Party' (*al-Ḥizb al-Ḥurr al-Lādīnī*) also disappeared because it was vociferous in criticizing religion.[238] Communism, which is perceived to be hostile to religion, only prospered at times when religious forces were weak during the fifties and sixties.[239]

In the sixties, Shia religious leader, Ayatullah Muhsin Al-Hakim, issued a fatwa attacking communism and saying it's 'incompatible with Islam'.[240] This fatwa had adversely affected the communists in Iraq where previously their ideas were embraced by the Shia youth. Islamic Party (mainly Sunni) also issued a memorandum blaming PM Abdulkarim Qassim for 'patronizing' communism.[241] 'Islam began to attract lay Shia in great numbers encroaching on communist

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[237] Omar Farrukh-Akhwan-al-Safa, Islamic Philosophy online-Chapter-15: http://www.muslimphilosophy.com/hmp/18.htm

[238] Johan Franzén-Musings on Iraq-15/7/2014: https://goo.gl/Yfm73l

[239] Roger Shanahan-Meria Journal-June-2004: http://www.rubincenter.org/2004/06/shanahan-2004-06-02/

[240] Yitzhaq Nakash-The Shia of Iraq-Princeton University Press-(1994)-p135

[241] Ibid

influence'.[242] When religion was revived after the establishment of Islamist parties, all secular ideas and groups were suppressed or marginalized.

Resuscitating Past Evils

Mill acknowledges that people with different opinions are not put to death anymore. 'We are not like our fathers who slew the prophets'.[243] Although this maybe the case in some countries in Europe or North America, in various parts of the world, including Iraq, people are still punished by death if they express ideas critical of the prevalent religious beliefs. If they don't get executed, they get assassinated. Many people were assassinated in Iraq simply because they expressed opinions regarded as dangerous by others.[244] This is even worse than executing opponents since assassination is done secretly and no one knows the reasons for it or who is behind it. People can only guess. While execution follows a trial during which people get to know the reasons leading to the case and this would serve to highlight their cause. In Sudan, scholar Mahmoud Muhammad Taha was tried and executed in 1985 for demanding an end to Sharia law. Although his trial lasted two hours but his name and cause have remained on people's minds.[245] Those assassinated in Iraq, intellectuals and scholars though they were, have been forgotten.

The death penalty still exists in Iraq, and although there have been no overtly political executions since 2003, there is no guarantee that this wouldn't become common in the future when Islamists power is entrenched and more laws are enacted to criminalize certain practices such as trading in alcohol. Judicial proceedings also lack transparency and information is sometimes extracted under duress.[246]

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[242]   Ibid.p136

[243]   Mill-(2002)-op.cit.p7

[244]   Kamil Shya, Hadi Al-Mahdi among many others-(See chapter.7)

[245]   Mahmoud Muhammad Taha-*Biography*-Alfikra: http://www.alfikra.org/index_e.php

[246]   Radio Free Europe-*UN Slams Executions In Iraq*-23/8/2016:
          http://www.rferl.org/a/iraq-un-slams-executions/27940763.html

Mill warns of attempts to 'resuscitate past evils' which raffle the 'quiet surface of routine'.[247] He warns of the revival of religion and compares it with bigotry in the uncultivated mind that could 'provoke (people) into actively persecuting those whom they have never ceased to think proper objects of persecution'. [248] This, he contends, 'makes this country not a place for mental freedom'.

The revival of religion has proven a huge impediment to democracy and indeed to the progress and stability of the country as a whole since it caused civil and sectarian wars between different sections of society and increased tension between Sunnis, Shia and Christians, many of whom had to immigrate within the country or abroad. This is in addition to the restrictions imposed on general freedom and civil life in the country which is discussed in details in chapter 7.

Contesting received opinion should be welcomed by any society because those who contest them are doing something that the believers themselves should be doing. As Mill argues, 'if there are any persons who contest received opinion…. let us thank them for it, open our minds to listen to them and rejoice that there is someone to do for us what we otherwise ought, if we have any regard for either the certainty or the vitality of our convictions, to do with much greater labour ourselves'.[249]

Diversity of opinion can only be advantageous for all times, 'until mankind shall have entered a stage of intellectual advancement which at present seems at an incalculable distance'[250]. Opinions do not have to be true or false. Conflicting doctrines could share the truth among them and 'non-conforming opinion is needed to supply the remainder of the truth of which the received doctrine embodies only a part'.[251]

Different arguments are needed for a healthy state of political life, but they must be political arguments which can be debated and criticized, not sacred views that must be accepted as they are as is the case with religious views. Debate is important for

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[247]   Mill-(2002)-op.cit.p25
[248]   Ibid.pp25-26
[249]   Ibid.p37
[250]   Ibid
[251]   Ibid.p38

political issues, where compromises and adjustments can be made, but you cannot compromise on religious or doctrinal principles or issues. When politics and religion are intermingled, as they are in Iraq now, this is what happens.

According to Mill, there are usually two parties, one of order or stability and another of progress or reform.[252] The two parties will compete 'until one or the other enlarges it's grasp as to be the party of stability or progress, knowing and distinguishing what is fit to be preserved from what ought to be swept away'.[253]

Collision of Opinions

Mill argues that fair play of all sides to the truth can only exist through diversity of opinion.[254] Through debate people can arrive at the truth. Although an advocate of freedom, Mill doesn't hesitate to announce that 'unlimited use of freedom' would not necessarily put an end to the 'the evils of religious or philosophical sectarianism' because 'men of narrow capacity' will always act as their truth is the only one. [255] Mill describes religious sectarianism as 'evil'.

I argue that sectarianism is deleterious to the interest of any state or society and it has impeded democracy and progress in Iraq while it protected corruption, inefficiency, nepotism and inefficacy. In one instance, the Integrity Commission announced that the head of the Hajj and Umra Commission, a prominent Shia cleric, had committed many legal violations and financial irregularities, including obtaining degrees through irregular means for himself and his two sons whom he appointed in the commission, yet he remained in his position after a short period of suspension. He was protected by the sectarian quota system. The standing of his party (SIIC) was enhanced in the subsequent elections in 2014 and increased its seats by 14.[256]

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[252]   Ibid.p39
[253]   Ibid
[254]   Ibid.p40
[255]   Ibid.p43
[256]   Sumeria News-*Suspending Al-Mawla is an administrative measure*-17/2/2014-(Arabic): http://www.sotaliraq.com/mobile-news.php?id=137001#axzz4Pg0SQPFS
See also a report by Fadak Network- *In a face-saving Move, the Integrity Commission acquits Al-Mawla*-20/3/2014-(Arabic): http://www.afadak.com/news/17300 . Also, Altahreer news: http://altahreernews.com/inp/view.asp?ID=17546

The tendency of all opinions to become sectarian, Mill contends, is not cured by the freest of discussion. On the contrary this could often heighten and exacerbate it. In spite of this, the collision of opinion still has a salutary effect, 'not on the impassioned partisan, but on the calmer and more disinterested bystander'.[257] Mill recognises that freedom of opinion and discussion as necessary to the mental well-being of mankind on four grounds; they are:

1-if an opinion is compelled to silence, it may be true, and to deny it, we assume our own infallibility.

2-The silenced opinion maybe an error, but it may contain a portion of truth and it's only by collision of adverse opinions that the remainder of the truth has any chance of being supplied.

3-If the received opinion is the whole truth, but if doesn't suffer any vigorous contest, it will be held as a prejudice.

4-The meaning of the doctrine itself will be in danger of being lost or enfeebled and deprived of its vital effect on the character and conduct: the dogma becomes a mere formal profession, inefficacious for good but cumbering the ground and preventing the growth of real heart-felt conviction, from reason or personal experience.[258]

Individuality is linked to freedom of people to express their opinions as they wish. But Mill distinguishes between freedom of action and freedom of thought. But opinions lose their immunity when they are expressed in certain circumstances which may lead to mischief. Mill explains how the same opinion could be received differently under different circumstances. For example, an opinion that '-corn-dealers are starvers of the poor or private property is robbery- ought to be unmolested when circulated in through the press, but may justly incur punishment when delivered orally to an excited mob assembled before the house of a corn-dealer'.[259]

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[257]   Mill-(2002)-op.cit.p43
[258]   Ibid
[259]   Ibid.p46

Hence, liberty of the individual can be limited when his words may reasonably pose danger to other people's lives as in the cases of potential incitement to violence or molestation that Mill correctly alludes to. Freedom must be associated with respect for the law of the land, even if the law is not acceptable to certain sections of society.

Lesson for Iraq

The progressively gradual adoption of democratic principles that emphasize peaceful coexistence among European nations was due to their cultural diversity. 'Individual, classes, nations, have been extremely unlike one another; they have struck out a great variety of paths, each leading to something valuable'. [260] There is a lesson for Iraqis there. Iraq is made up of diverse communities and cultures but it has suffered over the years from waves of Bedouin immigrants whose despotic, violence-glorifying values came to dominate its diverse society.[261]

The Iraqi state has often been captured by 'distinct groups of Iraqis' who have not been able to 'ensure that the multiple histories of the Iraqi people are subsumed into single narrative of state power'.[262] This inability to accommodate the multiple Iraqi histories into a larger national narrative has translated into the coercive dominance of one history over other histories, henceforth paving the way for conflict, many times violent, between defenders of different histories. As a result the Iraqi state has been characterized by violence.[263] The era of Saddam Hussein was perhaps the most repressive and violent Iraq has ever seen in recent times. His 24 years in power were characterised by 'murder, plunder and terror'.[264]

Wilhelm von Humboldt contends there are two necessary conditions for human development; 'freedom and variety of situations. These render people unlike one another'. [265] Iraq is diverse, not only socially, racially and religiously, but also geographically; therefore people are bound to be different in their cultures and

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[260]   Ibid.p60
[261]   Ali Al-Wardi-*A Study in the Nature of Iraqi Society-(Arabic)*-Saeed Bin Jubair Publications-Qum-(2005)-p11
[262]   Charles Tripp-'*A History of Iraq*'-Cambridge University Press-(2000)-p4
[263]   Ibid.p6
[264]   Diamond-(2005)-op.cit.p20
[265]   Mill-(2002)-op.cit.p61

attitudes. Not only is diversity given, but it's also beneficial and comes as a result of social and economic development where people go through a 'variety of situations'.

Since society affords individuals protection, they owe it a return for this benefit. Part of it is to abide by certain rules and observe a certain line of conduct towards the rest.[266] An individual who doesn't conform to society's norms doesn't have to be punished by law, but by opinion. As soon as a person's conduct begins to negatively affect the legitimate interests of others, society has the jurisdiction to stop him. For example, drinking alcohol in Iraq is not socially approved, but has never been legally banned. People who drink know there is a social cost to be incurred. Alcohol has been banned by an act of parliament passed on 22nd Oct 2016. The ban has caused a public outcry, but Islamists' position on the ban didn't move an inch.[267]

Alcohol-drinking by others has not affected the lives of the religious since drinking is usually in exclusive clubs or in the confines of people's homes. So, it's not the type of activity that causes any inconvenience to society, but rather it is the ideological difference that the Islamists have with the whole idea of drinking as immoral and anti-religion. There is no public-interest issue involved here, but only a legitimate difference in life-style that has been criminalized by an intolerant political elite. Mill suggests that even when there are types of conduct by the individuals that cause injury to society, 'society can afford to bear for the sake of the greater good of human freedom'. [268] Such conduct must not violate specific duty to the public nor occasion perceptible hurt to any particular person except the individual himself. Society must not interfere with purely personal conduct, since when it does, 'the odds are that it interferes wrongly and in the wrong place'. [269]

On matters of social morality**,** the majority must not impose a law on the minority on the question of self-regarding conducts because 'this is quite as likely to be wrong as right'. [270] Therefore, moral conduct should be left to individuals to determine and the

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[266]   Ibid.p63
[267]   Associated Press-the Guardian-23/10/2016: https://goo.gl/haoGwN
[268]   Mill-(2002)-op.cit.p69
[269]   Ibid.p70
[270]   Ibid

state must not interfere there, but the laws that Islamists have introduced or wish to, restrict individual liberties and assume negative judgments about certain types of personal conduct to the point of judicial criminalization such as the alcohol ban that was legislated recently by the Iraqi Parliament with an overwhelming support by Islamist MPs.

The individual is not accountable to society for his/her actions insofar as these concern the interests of no other person but him/herself. 'Advice, instruction, persuasion, and avoidance by other people if thought necessary by them for their own good, are the only measures by which society can justifiably express its dislike or disapprobation of his conduct'. If the actions of the individual are 'prejudicial to the interests of others, the individual is accountable and maybe subjected to wither social or legal punishments if society is of the opinion that one or the other is requisite for its protection'. [271]

Liberty may be legitimately "infringed upon" for the prevention of crime or accident through the interference of the police. Although the function of the government in taking precautions against crime before it has been committed is undisputed, this function is 'far more liable to be abused to the prejudice of liberty than the punitory function'.[272]

Public education is another contentious issue. One function of public education in established democracies is to promote and consolidate a common national identity that represents the agreed-upon values among the population. It is one way to help construct citizenship and promote a "patriotic" affiliation with the land through a certain inclusive and representative understanding of its history. This is about building some consensus about national meaning. In Iraq, public education does exactly the opposite as it fractures any possibility of consensus in this regard. This is especially so because history is linked to religion, both of which are divisive in Iraq.

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[271]   Ibid.p79
[272]   Ibid.p81

The Shia for example regard the Umayyads as 'usurpers responsible for the killing of Shia imams' while Sunnis have a favourite view of them.[273] The Shia also believe the first three caliphs had no right to succeed the Prophet and the rightful caliph was Ali, while Sunnis revere them, hold them in high esteem and believe they were the rightful successors.[274] The two sects have recorded Islamic history in two completely different ways and one of their main differences is how the political leadership was chosen after the Prophet's death. Teaching religion would also be a problem since there are different interpretations and applications of the Qura'an and Sunna.

Therefore, all contentious issues of history and religion need to be avoided, not only in school syllabi, but also in public debate since they are likely to cause discord and violence. Liberal democracy needs to be the basis for the democratic system in Iraq so that it can be inclusive and unifying. Civil liberties have got to be sacrosanct. As we will see in chapter 5, the conception of justice has to be 'free standing' and also not in conflict with any major doctrine as per John Rawls theory. It must be recognised and shared by all the citizens.

Liberalization

Liberalization is the removal, fully or partially, of restrictions on general freedoms accompanied by strengthening the rule of law and the emergence of civil, political and economic societies. This usually precedes democratization, especially in authoritarian regimes and it usually facilitates the process of democratization and reduces the time required for its consolidation. But it has different effects in different countries. According to Samuel Huntington, liberalization in Islamic countries 'enhanced the power of social and political movements whose commitment to democracy is questionable'.[275] This has actually happened in Iraq and elections

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[273]   Abbas Kelidar-'*US Policy in Post-Saddam Iraq: Lessons from the British Experience*'-edited by Michael Eisenstadt and Eric Mathewson-Washington Institute for Near East Policy-(2003)-p30

[274]   This is one of the main differences between the two sects with numerous sources detailing their differences: (John Green-People of Our Every Day Life)-published on the following website: https://goo.gl/9UlMwB

[275]   Huntington (1991)-op.cit.p309

brought Islamist parties to power who treat democracy with contempt and only want to use 'democratic mechanism' and confuse democracy with shura.

Dictatorships cannot tolerate independent organizations because they fear any collective action, but not all dictatorships are the same. Adam Przeworski states 'What is threatening to authoritarian regimes is not the breakdown of legitimacy, but the organization of counter hegemony, collective projects for the future'.[276] Political choice becomes available only when there are collective alternatives. Despite this, authoritarian regimes do lessen the restriction at some point as happened in Spain, Chile and Poland. Such a moment signals the loosening of the power of the authoritarian power bloc and suggests to civil society that there is a room for autonomous organisation.

This loosening is two types: from above and from below. The first one happened in Hungary as a result of division in the leadership. Communist leader, Karoly Grosz, said 'the party was shattered not by its opponents, but – paradoxically – by the leadership'.[277] The other type happened in East Germany. There was no division in the leadership until hundreds of thousands of people occupied the streets of Leipzig. Przeworski sums this up in the phrase: 'top-down and bottom-up models often compete to explain liberalization'.[278] But he agrees that decisions to liberalise combine elements from both types. Liberalization is a 'result of an interaction between splits in the authoritarian regime and autonomous organization of the civil society'.[279] It's either a popular mobilization signaling to liberalizers in the regime that they have allies among the people that could change the power bloc to their advantage, or visible splits in the power bloc indicate to civil society that there is a space for autonomous organisations. But the logic of liberalization is the same.[280] Przeworski asserts it's 'unstable'. He borrows a term coined by Ilya Ehrenburg who called it in 1954 a 'thaw' or a 'melting of the iceberg of civil society that overflows the

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[276]   Przeworski-(1991)-op.cit.pp54-55
[277]   Ibid-p56
[278]   Ibid
[279]   Ibid.p57
[280]   Ibid

dams of the authoritarian regime'.[281] The first reaction of civil society to the loosening of the repressive apparatus is an outburst of autonomous organisations such as students' associations, trade unions and 'proto-parties'.

After the advent of Gorbachev's Perestroika in 1985, many were encouraged to establish independent organisations, and by 1989, around 60,000 autonomous groups, associations, circles and federations were established 'probing the limits of the political space' as the newspaper Pravda (10/12/1989) called it. The pace of mobilization of civil society varies in different countries 'depending on whether the authoritarian equilibrium rests mainly on lies, fear, or economic prosperity'. 'Once the king is announced naked, the equilibrium is destroyed instantaneously'.[282]

Przeworski explains that 'the crucial factor in breaking individual's isolation is the safety of numbers'.[283] When the Pope visited Poland in 1979, the Poles discovered the strength of the opposition when two million people poured into the streets. In Bulgaria and Romania, first opposition demonstration grew out of organised demonstrations of support for the two regimes. Regimes that are based on 'tacit exchange of material prosperity for passive acquiescence' are vulnerable to economic crises. Przeworski argues the eruption of mass movements, unrest and disorder, constitutes evidence that the policy of liberalization has failed. 'Since liberalization is always intended as a process controlled from above, the emergence of autonomous movements constitutes the proof that liberalization is not, or at least is no longer, a viable project'.[284] In China, student demonstrations forced the liberalizers to retreat and repression increased again. The opposite happened in South Korea where demonstrations strengthened the liberalizers who later became the democratizers.[285]

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[281]   Ibid.58
[282]   Ibid
[283]   Ibid.p59
[284]   Ibid.p60
[285]   Ibid

Finally, liberalizations are either reversed, taking the country back to the old order or succeed in which case they lead to democratization. In Iraq, liberalization measures had taken place at the same time as democratization and this has made it very difficult since there was a political price to pay. Some reforms were not easy to implement such as subsidies for food given through the ration system. The government had to go back on its decision to abolish the ration system in 2012 because there was a public outcry. The system is inefficient with wide-spread corruption and distorts private sector activity.[286]

Although Iraq has adopted the free market economic system officially, it's still struggling with old system where the state is the biggest employer with at least 7 million people drawing salaries from the state. Democracy requires a vibrant economy where the private sector plays an important role. This has not yet happened as we shall see later.

Zeitgeist

As an ancient idea, democracy began in Athens at the 5th century B.C.; it has become so relevant to our modern world and come to represent a symbol of modernity. Democracy is never overdetermined, but by the 1970s, it has become the *zeitgeist* in most of the world.[287] No one argues against the legitimacy of democracy anymore and people across the world tend to accept the discourse and ideas of democracy. Explicit arguments against democracy as a concept have almost disappeared from public debate in most countries.[288] A UNESCO report noted in 1951 that 'for the first time in the history of the world, no doctrines are advanced as antidemocratic. The accusation of anti-democratic action or attitude is frequently directed against others, but practical politicians and political theorists agree in

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[286]   Latif al-Zubaidi-*why Iraq's ration card can't be scrapped*-Niqash-15/11/2012: http://www.niqash.org/en/articles/economy/3156/

[287]   Linz& Stepan-(1996)-p75

[288]   Huntington-(1991)-op.cit.p47

stressing the democratic element in the institutions they defend and the theories they advocate'.[289]

Although the first democratic government was established by the Athenians, its modern usage dates to the revolutionary upheavals in Western societies at the end of the 18th century.[290] The first wave of democratizations began after the American and French revolutions. However, the emergence of democratic institutions is a nineteenth century phenomenon.[291] Switzerland, France, Great Britain and several other European countries made the transition to democracy before of the turn of the 19th century.[292]

The Athenians introduced the concept of a popular government in 507 BC, where the *demos* (people) rule (kratia) themselves.[293] But the Roman republics, established in Rome and other cities in ancient Italy, are no less contributors to the current idea of democracy than the Greek city states.[294]

Power to the People

What does democracy mean? It's the ideal of people governing themselves, of giving power to ordinary people to rule themselves rather than being ruled by a tyrant who gives them little or no say in running their affairs.

Democracy, or demokratia, the government of people, the many, polyarchy, rather than the few, oligarchy, or one ruler, monarchy, has become the aspiration of people around the world because it's thought of as a system characterized by continuous responsiveness to all its citizens who are considered to be political equals.[295] It may

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[289]   Richard McKeon-'*Democracy in a World of Tensions*'-[Samuel Huntington-(1991)-op.cit.p47]
[290]   Huntington-(1991)-op.cit.p6
[291]   Ibid.p16
[292]   Ibid.p17
[293]   Dahl-(1989)-op.cit.p3
[294]   David L. Stockton-'*The Classical Athenian Democracy*'-Oxford University Press-(1990). Allen M. Ward-'*How Democratic Was the Roman Republic?*'-New England Classical Journal-31/2-(2004)-pp101-119
          Robert Alan Dahl, *Democracy and Its Critics,* Yale University Press-(1989)-p13
[295]   Dahl-*(1998)-op.cit.*p9

have been first found in Greece, but it could have been invented in other times and places whenever appropriate conditions existed.[296]

But why has this system of popular government been regarded as ideal for countries and nations with different cultures, when it was devised by the Greek noble, Kleisthenes, when he attempted to reform the Athenian constitution over 2500 years ago? It now entails so many things for people aspiring to have a democratic rule. John Dunn puts it eloquently: 'as it travels through time and space, democracy never travels on its own. Increasingly, as the last two centuries have gone by, it has travelled in fine company, alongside freedom, human rights and perhaps now even, at least in pretension, material prosperity'.[297]

All reforming political movements in the last two hundred years at least claimed to be democratic or sought to establish a 'democratic' system of government. In fact, even communist governments established in the second half of the twentieth century called themselves democratic when they weren't really. There are no more ideological contestants to democracy as a political system in most of the world, although Juan Linz and Alfred Stepan-(1996) make an exception for the 'reinvigorated fundamentalism in Islamic cultural community' who opposes democracy on ideological basis.[298] This is perhaps why democracy has not prospered in Muslim countries and this is actually what former Iraqi PM, Ayad Allawi, has indicated to this study.[299] Many Iraqi Islamists do not hesitate to declare their rejection of democracy, although they stress their adherence to 'democratic mechanisms'.[300]

Obviously, the democracy designed by Kleisthenes, and established by the Greek leader, Pericles, 2500 years ago, is not the same as the system established when the Americans adopted their constitution in 1776, nor is it the same system the

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[296]   Ibid

[297]   John Dunn-'*Setting the People Free*: The Story of Democracy'- Atlantic Books-(2005)-p24

[298]   Linz& Stepan-(1996)-op.cit.p75

[299]   Appendix-1, p32

[300]   Sami Al-Askari, Walid Al-Hilli & Adil Abdur-Raheem Muhammed, Appendix-1, p19/24, p34/35/37, & p64/69 respectively.

French adopted after their successful revolution in 1789, and it's certainly not the system that Britain is governed by today nor the one that Iraqis aspired to establish after 2003. There has been a long process of 'democratization' from ancient Greece and Rome till today. But all these developments have centered around one idea: people's wishes expressed through elections on how to rule themselves.

After this long process; democracy is not only accepted, but demanded by political societies across the world. To reject democracy today is to 'write yourself out of politics' sooner or later.[301] Iraqi Islamists for instance have accepted democracy, albeit reluctantly, merely for the fact they know they would otherwise write themselves out of politics. But they have not given up on the hope of establishing an Islamic system that's not fully democratic.

Democracy and Elections

With all the talk of democracy being the rule of the people, we still need to define democracy in today's terms. Joseph Schumpeter provides the 18th century 'classical definition for the democratic method which is 'institutional arrangement for arriving at political decisions which realises the common good by making the people itself decide issues through the election of individuals who are to assemble in order to carry out its will'.[302] But Schumpeter goes on to criticise this definition as being inaccurate since 'both the will and the good of the people may be, and in many historical examples have been, served just as well or better by governments that cannot be described as democratic according to any accepted usage of the term'.[303]

Schumpeter continued to describe in details the shortcomings of this definition in neglecting how to choose the leadership, incorporate group-wise volitions, or clarify individual freedoms which subsist with democracy. The classical definition makes

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[301]   Dunn-(2005)-op.cit.p41

[302]   Joseph Schumpeter-'*Capitalism, Socialism and Democracy*'-Routledge-(2010)-p225

[303]   Ibid.p242

producing a government a prime function of democracy but there is no clear method of evicting it. While the definition talks about the will of the people, while democracy operates by simple majorities and this is not the will of all the people. Also, electing individuals to produce a government, but for a national government 'this practically amounts to deciding who the leading man should be'.[304] He argues that this is only done in the US democracy.

Schumpeter then reduces democracy to mean 'the people have the opportunity of accepting or refusing the men who rule them', not what was originally intended which was 'the rule of the people'.[305] But could people choose or refuse their leaders in undemocratic ways? This fact required another criterion to be added to the definition and this is 'through free competition among the would-be leaders for the vote of the electorates'.[306]

Samuel Huntington regards the definition of democracy in terms of elections as minimal. He states that democracy, to some, must have 'sweeping and idealistic connotations'.[307] To them, he argues, 'true democracy' means 'liberté, egalité, fraternité, effective citizen control over policy, responsible government, honesty and openness in politics, informed and rational deliberation, equal participation and power and various other civic values'.[308] Although these are 'good things', as Huntingdon acknowledged, but defining democracy in those terms, he argues, 'raises all the problems that come up with the definitions of democracy by source or purpose'. He concludes that 'elections open, free and fair are the essence of democracy, the inescapable sine qua non'.[309]

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[304]   Ibid.pp244/5

[305]   Ibid.p253

[306]   Ibid

[307]   Huntington-(1991)-op.cit.p9

[308]   Ibid

[309]   Ibid

Requirements for Democracy

But how do we define democracy in today's terms? Or can a definition actually sum up everything about democracy? There are necessary political institutions for modern representative democratic governments and these must exist in any democratic country. Robert Dahl provides six political institutions that need to exist for a modern democracy to function.[310] Although different political thinkers have provided different definitions and descriptions, but Dahl's description sums up what modern democracy is all about.

1- Elected officials

All decisions and policies in a democratic government have to be taken by officials elected directly by the people, thus modern democratic governments are representative of their people and decisions are taken on people's behalf.

2- Free, fair and frequent elections

Elected officials are chosen in frequent and freely-conducted elections in which coercion is comparatively uncommon. So, when a government is elected, it really represents the true wishes of the people. The term of the government must be limited in time so that people can pass their judgments on the performance of their elected representatives after a specific period has passed. If people are happy with them, they will vote for them again so that they continue their good work for the benefit of the country and its people. If not, they will elect others who they think are better placed to serve them and the country at large. Therefore, there is a need for frequent elections in order to keep the rulers in check and punish those who do not do well by replacing them with others.

3- Freedom of expression

Citizens have a right to express themselves without the danger of severe punishment on political matters broadly defined, including criticism of officials, the

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[310]   Dahl-(1998)-op.cit.pp85-6

government, the regime, the socio-economic order and the prevailing ideology. Debating important issues without fear of any repercussions will encourage people to express their views freely and tell the truth about what is happening to them and in the country at large.

4- Access to alternative sources of information

Citizens have a right to seek out alternative and independent sources of information from other citizens, experts, newspapers, magazines, books, telecommunications and the like. Alternative sources of information that are not under the control of the government and political parties must exist in a democracy, and must be protected by law. This way, the people will have a choice to hear information from all sides and also it will put pressure on government and partisan media to tell the truth or at least be fairer and more reasonable in covering events since they will be competing with other independent media that will be covering events in a fair and transparent way.

5- Associational autonomy

Citizens have the right to form independent organizations and associations in order to achieve their various rights and demands, including those related to the effective operation of democratic institutions. These associations help democratic institutions achieve their goals and help people pursue aims without having to belong to political parties. The organizations also monitor political parties and put a check on their activities.

6- Inclusive Citizenship

All citizens are equal before the law and have equal rights and duties. No one should be denied the rights available to other citizens in the land and are necessary for the implementation of the other five political institutions. They include: voting in regular, free and fair elections to elect officials, running for elective office, free expression, forming and participating in independent political parties and organizations, having access to independent sources of information, the rights to civil liberties and opportunities that may be necessary to the effective operation of the political institutions of large-scale democracy.

Why is Democracy Necessary?

One interesting definition of democracy is a system in which parties 'lose elections', explaining that the presence of a party that wins elections does not define a system as democratic.[311]

Linz (1984) characterizes democracy as a system with temporary government or 'government pro tempore', where conflicts are regularly terminated under established rules. But Coser (1959) contends that conflicts are terminated temporarily, not resolved definitely under democracy because losers do not give up their right to compete again in future elections, and even rules 'can be changed according to rules'. [312]

Participants in a democratic competition dispose unequal economic, organisational and ideological resources, since some groups have more resources and are better organized than others. Others are superior ideologically or have 'arguments that persuade'.[313] Those with greater resources are better placed to win in a democracy. But the presence of recognized unions and federations of employers is important in a democracy because they act as a 'counterbalance' for strong political parties.[314]

According to Pizzorno (1978) 'protagonists are collectively organized... have the capacity to formulate collective interests and act strategically to further them'.[315] The nature of democratic institutions imposes a relation of representation on society and individuals do not defend their interests directly, they delegate this responsibility to their representatives (Luxemburg-1970-p.202).[316] This also extends to associations and unions which act on behalf of their members. Thus, democratic societies are populated 'not by freely acting individuals but by collective organizations that are capable of coercing whose interests they represent'.[317] But no single force can

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[311]   Przeworski-(1991)-op.cit.p10
[312]   Ibid.p11
[313]   Ibid
[314]   Ibid.p27
[315]   Ibid.11
[316]   Ibid
[317]   Ibid.p12

control outcomes in a democracy although they depend on what participants do, believing it to be in their best interest.

Although it has often been said that dictators are unpredictable, and this is true about Saddam Hussein who invaded two independent states, Iran and Kuwait, within 10 years, according to Adam Przeworski, 'uncertainty is inherent in a democracy, although this doesn't mean everything is possible or nothing is predictable... democracy is neither chaos nor anarchy'.[318] But democracy's unpredictability happens with defined rules that participants are aware of. Actors do know what is possible and what is likely to happen because 'the probability of particular outcomes is determined by institutional framework and the resources that different political forces bring to the competition'. What is not known is 'which particular outcome will occur'. [319] Actors in a democracy can attach probabilities to the consequences of their actions and hence they can calculate what is best for them to do. Thus, democracy constitutes an opportunity for all to pursue their respective interests.

Przeworski asserts that despite the majoritarian foundation of representative democracy, the system generates outcomes that are predominantly a product of negotiations among leaders of political forces, not a universal deliberative process. 'Democratization is an act of subjecting all interests to competition, of institutionalizing uncertainty. The decisive step towards democracy is the devolution of power from a group of people to a set of rules'.[320]

Democracy is collectively rational exercise if: 1-A unique maximum exists, 2-the democratic process converges towards this maximum, where democracy is superior to all its alternatives, 3-the democratic process is the unique mechanism, that converges towards this maximum – no benevolent dictator could know what is in the general interest.[321]

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[318]   Ibid
[319]   Ibid.p13
[320]   Ibid.p14
[321]   Ibid.p16

Rousseau believed that the general interest is given *a priori* and that the democratic process converges towards it, while Marx argued that no such general interest can be found in societies divided into classes. Arrow (1951) argued that even if such a maximum existed, no process of aggregating individual preferences will reveal it.[322]

Przeworski regards the assumption that preferences are exogenous to the democratic process as unreasonable and he quotes Schumpeter (1950:263) that 'the will of the people is the product, not the motive power of the political process'.[323]

Habermas and Joshua Cohen (1989) think deliberations lead to convergence on a unique maximum. Przeworski doesn't agree and regards their views as 'too strong to be realistic'. He agrees with Manin-(1987)-who believed that deliberation stops short of convergence on a unique maximum, but it educates preferences and makes them more general.[324] He accepts that not all conflicts can be resolved by deliberation, quoting Schmitt (1988), who argues this is the case since reasons and facts get exhausted at some point while conflicts remain; therefore, democracy generates winners and losers. 'Democratic institutions render an intertemporal character to political conflicts and offer a 'long time horizon to political actors' allowing them to 'think about the future rather than being concerned exclusively with present outcomes'.[325] But outcomes under democracy 'hold only if they are mutually enforced in self-interest or enforced externally by some third party'.[326] Democracy can minimize arbitrary violence as Przeworski argues.[327]

In Iraq, the US was the guarantor of democracy, but not anymore. Iran has emerged as the most influential power. Since democratic culture is not yet entrenched in Iraq, political, ethnic and sectarian rivalry is very intense. As some groups have militias to impose undemocratic solutions, and the guarantor is no longer interested in performing its previous role, democracy in Iraq could be under threat. Democracy needs unequivocal international support, political and financially, for a long period for

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[322]   Ibid
[323]   Ibid.p17
[324]   Ibid.p18
[325]   Ibid.p19
[326]   Ibid.pp22-24
[327]   Ibid.p16-(footnote-11)

it to survive. A study by Rand Corporation found that nation-building enterprises (democracy in Iraq is one such enterprise) 'have succeeded only with enormous investments of labour, money and time-five years at minimum'[328].

American expert on democracy, Larry Diamond, who was sent to Iraq by the US administration to help build democracy, wrote in 2003 'it's possible that Iraq could grow into a democracy, but the task is huge and the odds are long against it...It will require a prolonged and internationalized engagement with Iraq, costing billions of dollars over a number of years'.[329]

Samuel Huntington believes that the obstacle to democracy in the Muslim World are mainly cultural, in Africa they are economic while in China (at least in 1990) they are political, economic and cultural.[330] This view is largely accurate regarding Iraq as a Muslim country, although impediments to democracy are not limited to culture. There are others such as religion, stateness, rentier economy, armed groups and militias, hostile environment among others. Impediments will be discussed in details in Part 2 of this study.

In his evaluation of the Indian democracy, Barrington Moore (1967) argues that the Indian democracy is 'not a mere sham' and India 'belongs to the modern world' politically. He lists six positive features of the Indian democracy:

1-a working parliamentary system since independence, 2-independent judiciary, 3-standard liberal freedoms, 4-free general elections in which the ruling party accepts defeat, 5-civilian control over the military and 6-a head of state who made very limited use of his formal extensive powers.[331]

But Moore lists two important negative factors of the Indian democracy. They are: Asian settings and lack of industrial revolution. He attributes India's 'appalling problems' to these two factors. Iraq shares with India the two negative factors and both apply to it, the Asian setting and having a rentier economy (non-industrial).

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[328]   James Dobbins et al-*America's role in Nation-Building: From Germany to Iraq-RAND-2003-p166*
[329]   Larry Diamond-*Squandered Victory*-Henry Holt&Company-2005-p.18
[330]   Huntington-(1991)-op.cit.p315
[331]   Barrington Moore Jr.-'*Social Origins of Dictatorship and Democracy*'-Beacon Books-(1993)- p314

The Middle East still has no democracy with the exception of Lebanon which has a limping democratic system that is based on sectarian divide (consociational democracy).[332]

The other two regional democracies, Turkey and Israel, cannot act as a model for Iraqi democratization because they are distrusted by most Iraqis.[333] Iraq had the worst dictatorship in recent times, and now has a democratic system that is weak and under threat from many quarters, including terrorist groups believed to be helped by regional powers, and Islamist politicians whose belief in democracy is questionable.

Currently large parts of Iraq are controlled by ISIS terrorists, including Iraq's second largest city, Musil. The Kurds in the North keep threatening to declare independence; it is likely that they will 'at the right time'. This clearly means there is a stateness problem since there is a large minority that doesn't believe in the current Iraqi state.[334] The Iraqi state has broken down entirely and rebuilding it is a slow process that requires extensive support from the international community.[335]

Benefits of Democracy

So, what are the benefits of democracy and why do prosperous nations living under other regime types want to be democratic? Since I have quoted Dahl for the necessary institutions of democracy, and in order to be consistent, I would like to quote him again about the benefits of democracy: [336]

1- Avoiding tyranny and autocratic rule. The most pressing problem in politics is the development of dictatorships which results in oppression and repression as well as loss of freedom and dignity for citizens. Under Stalin's tyranny, millions of people were imprisoned, tortured of killed for political reasons. Under democracy, people can choose their leaders carefully and keep an eye on their performance. Once they

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[332]   Bilal Saab and Elie Al-Chaer-Brookings-6/11/2007: https://goo.gl/beUGyE
[333]   Diamond-(2005)-op.cit.p.21
[334]   Linz& Stepan-(1996)-op.cit.p16-37
[335]   Diamond-(2005)-op.cit.p.23
[336]   Dahl-(1998)-op.cit.pp45-58

do not fulfill their obligations, people can 'evict' them, using Schumpeter's term. Any non-democratic rule, be it authoritarian, totalitarian, post-totalitarian or sultanistic, will be oppressive in various degrees.

2- Guaranteeing essential rights. One of the basic tenets of democracy is that essential human rights are guaranteed because elected officials cannot violate the law and are constantly checked by the law of the country as well as by opposition parties and free press. Democracy is inherently a system of citizen rights while a non-democratic rule, especially authoritarian, may give certain freedoms, but they are not guaranteed and can be withdrawn at any time as is the case in many benign monarchies, republics or sheikhdoms in various parts of the world.[337]

3- Ensuring general freedom. When there is a law that is made by a representative body, the democratic government will be under duty to respect such a law. Laws produced by a democracy usually guarantee citizen's basic freedoms such as freedom of speech, association, assembly and so on.

4- Self-determination. People can determine how they want to live with no compulsion from individuals who happen to be their rulers. They can choose their constitution and laws and they can change them if and when they so wish.

5- Moral autonomy. Only democratic governments can provide a maximum of opportunity for persons to exercise freedom of self-determination and live under laws of their own choosing.

6- Human development. Democracy fosters human development more fully than any feasible alternative. Although this is controversial, but evidence suggests that human development in democratic countries is highly plausible.

7- Protection of essential personal interests. Under a democratic system, legitimate interests are protected by the state.

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[337] Linz& Stepan-(1996)-op.cit.pp44-45

8- Political equality. Democratic systems treat citizens equally. However, this needs to be regularly checked by civil society in order to make sure equality is realised. In certain cultures, such as the Iraqi one, preferential treatments are given to friends and relatives of high officials.[338] This has continued under democracy and siblings of holders of high posts are appointed in senior positions without any challenge from civil society or the law.[339] Ministers look up to their leaders, rather than the public, for instruction. They brought their party followers and relatives to their ministries with no fear of breaking the law.[340]

9- Conducive to Prosperity. Countries with democratic governments, with regular checks and balances in place, tend to be more prosperous than countries with non-democratic countries. Although this may be accurate in theory, but in practice, it's not always the case as some democracies remain poor such as India, and non-democratic governments have delivered economic prosperity, while others served people better.[341]

There is no evidence that democratic governments perform better than non-democratic. In fact some studies have indicated that democratic governments perform less well.[342] The Spanish economy deteriorated sharply during the transition while unemployment under Franco (in 1970) was around 3%. It went p to 20%, in the 1980s. Economic growth was over 7% from 1960-1975, it went down to 1.7% between 1975-85.[343] Huntington points out that governments produced by elections can be 'inefficient, corrupt, short-sighted, irresponsible, dominated by special interests and incapable of adopting policies by the public good'.[344]

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[338] Khuloud Ramzi-'*A Family Tie too Tight*: *Nepotism Runs Deep in Iraqi Politics*'-Niqash-21/7/2011
[339] President Fuad Masum appointed his daughter Juwan as advisor-(appendix-10)
[340] Musings on Iraq-'*How the US Ran into Party Politics*'-9/1/2013: https://goo.gl/6vvnDp
[341] Schumpeter-(2010)-op.cit.p242
[342] Haggard& Kaufman-(1995)-op.cit.p152
[343] Linz& Stepan-(1996)-op.cit.p113
[344] Huntington-(1991)-op.cit.p10

Prosperity under democracy in Iraq has not materialized and Iraqi economy is weaker than ever due to falling oil prices, wide-spread corruption and extra military spending to fight terrorist groups controlling Iraqi cities.[345] As a sign of the wide-spread corruption in the country, one Iraqi politician admitted, in a rare moment of truth, that 'everyone is corrupt, including me'.[346]

10-Conducive to Peace. Modern representative democracies do not fight wars with one another. No war has been fought in recent history between two democratic countries. Many regard this as one of the most important attributes of democracy.

The final idea of "democratic peace" was first formulated by Immanuel Kant and Thomas Paine. Bruce Russet wrote a book on this in the 1990s.[347] In recent times there has been no war between two democratic nations. From the 19th century down to 1990, democracies didn't fight other democracies, with trivial exceptions.[348] But Jack Snyder (2000) argues that democratization is a double-edged sword that can provide impetuses for heightening nationalist violence, conflict and aggression.[349]

While acknowledging that established democracies often have peaceful interactions in their foreign policies toward each other, Snyder demonstrates that the early phases of democratic transitions are often fraught with the potential for conflict, "which not only raises the costs of transition but may also redirect popular political participation into a lengthy antidemocratic detour".[350] But even Snyder acknowledges that mature democracies have not fought wars against each other.

John Stuart Mill also argues 'unlimited use of freedom' would not necessarily put an end to the 'the evils of religious or philosophical sectarianism' because 'men of

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[345]   Joseph Sassoon-MEEA's 15th International Conference-Doha-23-26/3 /2016: https://goo.gl/9O59Ob
[346]   Mishaan Al-Jabouri-The Guardian-19/2/2016:   https://goo.gl/Vjbejl
[347]   Bruce Russett-*Grasping the Democratic Peace: Principles for a Post-Cold War World*-Princeton University Press-(1994)
[348]   Philip Cutright-[quoted by Samuel Huntington-(1991)-op.cit.p29]
[349]   Jack Snyder-'*From Voting to Violence: Democratization and Nationalist Conflict'*- W.W. Norton-(2000)
[350]   Ibid.p20

narrow capacity' will always act as their truth is the only one. [351] He also acknowledged that the tendency of all opinions to become sectarian is not cured by the freest discussion. On the contrary, he argues this could often heighten and exacerbate it.

There are two opposing points of view about democracy; Static and dynamic. From a static point of view, democratic institutions must be 'fair': they must give all the relevant political forces a chance to win. From a dynamic point of view, they must be effective: They must make even losing under democracy more attractive.[352] One of the dilemmas for the Left that Adam Przeworski (1991) highlights is that 'even procedurally perfect democracy may remain an oligarchy: the rule of the rich over the poor', while the traditional dilemma for the Right is 'democracy may turn out to be the rule of the many, who are poor, over the few rich'.[353]

A glimpse at the personalities ruling Iraq today reveals that they are a few families who inherit political positions or dominance. Leaders of political parties or blocs, presidents, ministers and prime ministers are sons or siblings of past political leaders or their associates and followers. The Barzani, Talabani, Hakeem and Sadr families bequeath leadership positions in a systematic manner and appoint their associates and their heirs to leadership positions. In the 2014 elections, 5 of PM Noori Al-Maliki's family were candidates, including his two sons-in-law and two nephews, who were elected.[354]

As we will see in the next chapter, the establishment of democracy requires a state, without which there can be no secure democracy.[355] When there is a 'lack of identification with the state by large groups or individuals in the territory, fundamental

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[351]   Mill-(2002)-op.cit.p43
[352]   Przeworski-(1991)-op.cit.p33
[353]   Ibid.p34
[354]   Harith Al-Qarawee-Al-Monitor-15/5/2014: https://goo.gl/2FiZj2
Also, Ali Muhsin Radhi-Burathnews-23/4/2014: http://burathanews.com/arabic/news/234959
[355]   Linz& Stepan-(1996)op.cit.p19

and often unsolvable problems are at hands for democracy. Iraqi Kurds didn't think of themselves as Iraqis and prefer to have their own independent state.[356]

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[356]   Diamond-(2005)-op.cit.p.22
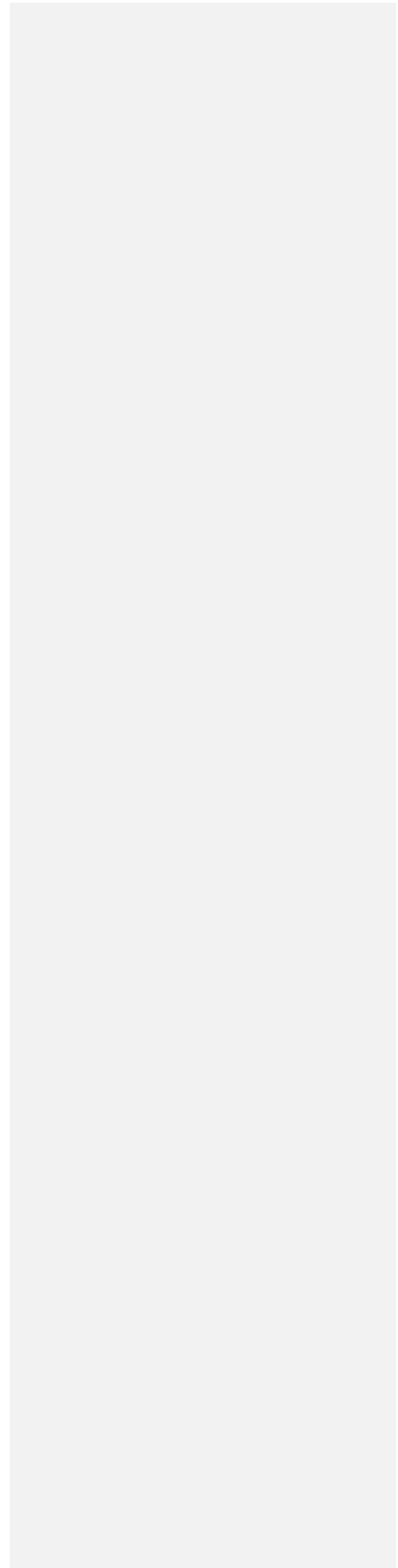
Chapter 4
Democratization

Introduction

Democratization is the process whereby countries become democratic, and this takes time, depending on several factors related to society's readiness for democracy. Countries go through a period of transition before they become consolidated democracies. But what is a consolidated democracy? Juan Linz and Alfred Stepan (1996) gives a very simple but eloquent definition: it's a political situation when democracy becomes the only game in town.[357]

Przeworski (1991) offers similar explanation but he adds 'it's a system in which parties 'lose elections', explaining that the presence of a party that wins elections does not define a system as democratic.[358] Przeworski regards democracy as consolidated 'when a particular system of institutions becomes the only game in town, when no one can imagine acting outside the democratic institutions, when all losers want to do is to try again within the same institutions under which they have lost'.[359]

Philippe Schmitter sees consolidation as 'the transformation of the institutional arrangements and understandings that emerged at the time of the transition into relations of cooperation and competition that are reliably known and regularly practiced and voluntarily accepted by those persons or collectivities...that participate in democratic governance'. [360]

So, democracy becomes established and entrenched within a society when it is 'self-enforcing' and when all the participants feel they find it best for their interests to use the existing system and have hope to get improvement sometime in the future; and

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[357]   Linz& Stepan-(1996)-op.cit.p5
[358]   Przeworski-(1991)-op.cit.p10
[359]   Ibid.p26
[360]   Haggard& Kaufman-(1995)-op.cit.p15

when democracy becomes a benefit to all and it's harmful for any political force to try and subvert it. Coleman's (1989) view on this is 'minority doesn't consist of losers and the majority winners. Instead minority members have false beliefs about the general will; members of the majority have true beliefs'.[361] This means that losing and winning under democracy is temporary and those who lose have a hope of winning in the future.

Democracy becomes the only game in town in a territory when:

1-Behaviourally, there is no significant national, social, economic, political or institutional actors spend significant resources attempting to achieve their objectives by creating a nondemocratic regime or turning to violence or foreign intervention to secede from the state.

2-Attitudinally, there is a strong majority of public opinion holds the belief that democratic procedures and institutions are the most appropriate way to govern collective life in a society such as theirs and when the support for the anti-system alternatives is quite small or more or less isolated from the pro-democratic forces.

3-Constitutionally, when governmental and nongovernmental forces alike, throughout the territory of the state, become subjected to, and habituated to, the resolution of conflict within the specific laws, procedures and institutions sanctions by the new democratic process.[362]

State and Nation
Democracy is governance system for a state, so the first requirement for the consolidation of this system is the existence of a state. Without a sovereign state

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[361]   Przeworski-(1991)-op.cit.p16

[362]   Linz& Stepan-(1996)-op.cit-p6

there can be no secure democracy.[363] When there is a 'lack of identification with the state that large groups or individuals in the territory want to join a different state or create an independent state, it raises fundamental and often unsolvable problems'.[364] In Iraq there is at least one irredentist tendency represented by a large Kurdish minority which has been demanding self-determination since the creation of the state.

There are now more irredentist tendencies such as Turcoman, Assyrian, Yazidis and even Sunni groups who either demand a separate federal entity or autonomous region.[365]

Although the terms nation and state are now used interchangeably, there is a distinction between the two. A nation may have a 'nation-state'. According to Max Weber, a nation belongs to the sphere of values, i.e. the expected sentiment of solidarity among some groups. A nation is not necessarily identical with the people of a state or a membership of a given polity.[366]

A nation can be divided in more than one state as was the case in Germany prior to unification in 1990 and perhaps now in Korea which is one nation divided between two states. The Arab nation is divided into 22 states; all are members of the Arab League.[367]

A nation doesn't have officials, and there are no clear rules of membership nor defined rights and duties that can be legitimately enforced. National leaders don't have coercive powers or taxes.

In contrast, a state has resources and coercive powers and controls over its

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[363]   Ibid.p19, and Diamond-(2005)-p23

[364]   Linz& Stepan-(1996)-op.cit.p7

[365]   Perry Chiaramonte, Fox News, 16/2/2017: https://goo.gl/lby2ej

[366]   Linz& Stepan-(1996)-op.cit.p21

[367]   Soumaya Ghannoushi, The Erosion of the Arab State, Aljazeera, 26/9/2005: https://goo.gl/R2m3h5
Also, Future Directions-'League Summit Sees Arab Nations Divided On Syria'-4/4/2012:
https://goo.gl/HkznmN

citizens.[368] Some national movements could exercise power, use violence or exact contributions without or before gaining statehood, but this always happens when 'that movement is taking the function of another state, subverting its order so that a state is breaking down in the process.'[369] Sometimes, nationalists have private armies to enforce their aspirations and challenge the authority of a state, which can lose control of some of its territory, but this signals the beginning of a civil war or national liberation struggle which could end in the creation of another state.[370]

The emergence of a state dates back to the 15th century, before the emergence of modern ideas about nationalism in the late 18th century, and the idea of a nation-state becoming a major force in the second half of the 19th century.[371] Most of the nation states that were created in the twentieth century were not actually nation-states. Most of them such as Czechoslovakia, Poland, Latvia, Lithuania, Estonia, were made up of different ethnicities. The disintegration of empires and redrawing of boundaries between states were not directly the result of nation-building movements.[372] Since very few states are ethnically pure, nationalism can be a counter-democratic because it's divisive since it focuses on a primordial identity that is not shared by all the people of the state.

Belgium for example became independent of the Netherland in 1830, but when it was confronted by Flemish nationalism, it created political institutions and practices that made it a democratic multinational state.[373] In some nation-states, national leaders pursue policies that aim to increase 'cultural homogeneity'. They send messages that the state should be 'of and for the nation'.[374] So, the language of the nation becomes the 'official language' and the religion and culture of the dominant

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[368]   Linz& Stepan-(1996)-op.cit.p22
[369]   Ibid
[370]   Ibid
[371]   Ibid
[372]   Ibid.p23
[373]   Ibid
[374]   Ibid.p25

nation become privileged if not 'official'.[375] This flies in the face of democratic principles and practices which emphasize inclusive citizenship and equal rights. Under democracy, all citizens identify with one subjective idea of the nation and the nation is congruent with the state.

Irredenta

Other factors are also important for democratization. If there is a significant irredenta outside the state boundaries, or there are diverse cultures and more than one nation existing, pursuing democratization would be difficult. 'Congruence between polity and demos would facilitate the creation of democratic nation-state'.[376] This congruence is supportive of democratic consolidation because it reduces or even eliminates stateness problems. But in the real world there are a few nondemocratic states that are homogeneous enough to start democratic transition. Polis/demos incongruence creates problems for democratic consolidation unless carefully addressed.[377]

State legitimacy in the eyes of its citizens is important for the consolidation of democracy and when this legitimacy is questioned by one group or more within the state it creates complication for democracy. Further problems arise if a large minority is considered an irredenta by another state and this could jeopardize peace. On the other hand, if nationalist extremists among the majority group, the titular nation as they are called in the former Soviet Union, pursue nationalist policies that alienate other groups, this may push them to turn to neighbouring countries for support and protection. When irredentist policies become dominant, they become a serious strain on democracy in both the external 'homeland' of the minority and the neighbouring nation-building state.[378] It is a problem for democracy in particular since it requires agreements by the citizens of the territory, while a non-democratic regime can suppress irredentist aspirations imposing acquiescence over a large group of people

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[375]   Ibid
[376]   Ibid
[377]   Ibid.p26
[378]   Ibid

for a long period of time without threatening the coherence of the state.[379]

In Iraq, irredentist aspirations are particularly manifested in the Kurdish large minority whose members feel they do not belong to the state of Iraq but should have a state of their own. This is partly due to the harsh treatment they received from the central government and partly because they have a different racial and cultural identity. They also feel they are part of a larger 'Kurdish nation' that is dispersed over four countries, Iraq, Iran, Turkey and Syria. Kurdish nationalist leaders, such as Masud Barzani, feed into this challenge often by threatening to declare the independence of Kurdistan from Iraq.[380] The American diplomat and writer, Peter Galbraith, had two descriptions for the current Kurdish sense of belonging to Iraq. 'For the older generation, Iraq was a bad memory, while the new generation has no feeling of being Iraqi'.[381]

Sunni Arabs also feel part of the bigger Arab world. According to Dr Abbas Kelidar, a prominent writer and expert on Iraq, the ideology of Arab nationalism, imbued by King Faysal and his Sharifian officers, was seen by Shia and Kurds as a 'means to ensure Sharifian (Sunni) hegemony over the Iraqi political process'. 'Pan-Arabism took for granted that language, religion and historical experience shared by the Arabic-speaking peoples constituted the essential qualities of nationhood'.[382] Kelidar argues that 'the pan-Arabist reading of religion has alienated Shia heartland by emphasizing that the Umayyad dynasty (661-750) as the epitome of Arab genius. The Shia viewed the Umayyads as usurpers responsible for the killing of Shia imams. Hence they strongly objected to the government invocation of the dynasty seeing it as a means of validating the Sunni political hegemony'.[383]

Arab emphasis on the nation's political discourse has also alienated the Kurds. Kelidar affirms Arab nationalism has 'ill-served the new Iraq since it failed in its drive

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[379]   Ibid-p27
[380]   Guy Taylor, Washington Times-6/5/2015: https://goo.gl/tO4gSc
[381]   Diamond-(2005)-op.cit.p22
[382]   Eisenstadt & Mathewson(ed)-(2003)-op.cit.p30
[383]   Ibid

to remake Arabs via a process of individual immersion in Arab political culture'.[384] He concludes that the nationalist ideology imposed by the British on Iraqis was 'externally irredentist and internally divisive'.[385]

Judith Yaphe has a slightly different view regarding the divisiveness of Arab nationalism. She states that 'Arab nationalism was particularly strong in the Shia cities of Karbala and Najaf where students and scholars encouraged the teachings of Arab civilization and culture'. She attributes this to the fact that 'southern tribes had a common sense of Arab identity, shared traditions and customs and links to the great clans and confederations that originated in Arabia and spread throughout the region'.[386] The question remains whether these cross-country links between Arab people contribute to irredentist feelings or cause others in different territories to interfere in territories they do not live in, or they can be considered as normal cultural links that exist between all peoples of the world.

As we saw above, the Iraqi state was built on shaky grounds from the beginning since the brand of Arab nationalism brought by the state's founding fathers alienated the non-Arabs who nearly form a fifth of the population and also divided Arabs since they embrace two faiths which have different readings of history. Arab nationalism ideology suited only the Sunnis and some Shia Arab nationalists.

Citizens not subjects

Democracy is characterised by citizens not subjects, and a democratic transition often puts the polis/demos at the centre of politics. But the more linguistic, cultural and national diversity, the more difficult politics becomes, because it would be difficult to reach an agreement on the fundamentals of a democracy. Still, democracy can still be consolidated in a multilingual, multicultural and multi-religious societies but it needs considerable political crafting of democratic norms, practices and

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[384]   Ibid
[385]   Ibid-p36
[386]   Eisenstadt& Mathewson-(2003)-op.cit.p39

institutions.[387]

Many of the existing states are multi-national multi-cultural, multi-lingual, and it is difficult to make them homogeneous (nation states) and the only democratic possibilities to make them homogeneous are through voluntary assimilation.[388] But there are political elites, especially among minorities who emphasize primordial values and characteristics for emotional and self interest reasons. Those elites didn't exist in preindustrial societies, but they do exist now even in agrarian societies.[389] With so many ethnicities, cultures and languages (around 8000 in the world), and people living in multinational settings, a nation-state will be difficult to achieve by democratic means.[390]

In a multinational settings, the chances to consolidate democracy are increased by state policies that grant inclusive and equal citizenship and that give all citizens a common 'roof' of state-mandated and enforced individual rights. Such states have a greater need than other polities to explore a variety of non-majoritarian and non-plebiscitarian formulas.[391] Federalism is an option but only if there are spatial differences between the different groups. In Iraq, the spatial differences between groups are not always well-defined.

Although the Kurds live in the northern/north-eastern region, but there are many of them who live with other Iraqi communities in Kirkuk, Musil, Dyala and Baghdad. The current Kurdish Federal Region encompasses only three provinces which are largely inhabited by Kurds. But it will be difficult to have all the Kurds in one federal region. The same goes for the Sunnis and Turcoman who are dispersed in many provinces although there are areas where they constitute the majority.

Both the state and society might allow a variety of publicly-supported institutions

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[387]   Linz& Stepan-(1996)-op.cit.p29
[388]   Ibid-p30
[389]   Ibid-p31
[390]   Ibid-p31-32
[391]   Ibid.p33

such as media and schools in different languages, symbolic recognition of cultural diversity, a variety of legally accepted marriage codes, legal and practical tolerance for parties representing different communities and a whole array of political procedures and devices that Arend Lijphart has described as 'consociational democracy'.[392]

The choice of electoral systems is also important. Proportional representation can facilitate representation of spatially dispersed minorities.[393] But this system, according to which the first elections of Jan 2005 were conducted, was abolished by Islamists when they controlled the National Assembly in 2005. The current system (Modified Saint Lague) allows candidates with a few hundreds of votes to become MPs, while it bars others with thousands of votes. Many complain about its unfairness. Due to this unfairness, there have been calls to change the system recently by the Sadrist Trend and the Civil Democratic Alliance.[394]

Democratic consolidation

It's now established that modern democratic governance is inevitably linked to stateness. Without state there can be no citizenship and without citizenship there can be no democracy.[395] Citizenship can be acquired in three different ways. These are by descent, birth, or naturalization (voluntaristic act of asking for and being granted citizenship).[396] In all three cases, citizenship is linked to the state, especially in the third type since the state has to grant the citizenship to the individual requesting it.

But the absence of effective institutional structures in the state "to attach the citizenry to the state" prompts political elites to "attempt to create loyalty through cultural

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[392]   Arend Lijphart-*World Politics*-volume 21-issue 2-Jan 1969-pp207-25
[393]   Linz& Stepan-(1996)-op.cit.p33
[394]   Omar Sattar-*Sadrist call to change electoral law could push local elections to 2018*-Al-Monitor-10/10/2016: https://goo.gl/X0ZO7G
[395]   Linz& Stepan-(1996)-op.cit.p28
[396]   Ibid

attachments," such as culture, ethnicity, language and religion.[397] This may have happened in Iraq. Citizens and politicians were influenced by the tide of sectarian media.[398]

After stateness, there must exist five conditions in order for democracy to be consolidated. These are free and lively civil society, autonomous and valued political society, rule of law to ensure that citizens' freedoms and independent associational life are guaranteed, usable state bureaucracy and institutionalised economic society.[399]

Civil society can destroy a non-democratic regime and then generates political alternatives to monitor government and state. A full democratic transition and consolidation must involve political society which consists of political parties, elections, electoral rules, political leadership, interparty alliances and legislature. Both civil and political societies need to be protected by the rule of law that is embodied in a spirit of constitutionalism and this requires strong consensus over the constitution and a commitment to 'self-binding' procedures of governance that require exceptional majorities to change as well as a hierarchy of laws interpreted by an independent judicial system and supported by strong legal culture in civil society.

The state also needs a functioning bureaucracy, usable by the democratic government in order to have the capacity to command, regulate and extract. Unfortunately, the last condition was not to be found in Iraq after the fall of the regime. Ali Allawi affirms "when the Coalition arrived in Baghdad on 9 April 2003, it found a fractured and brutalized society, presided over by a fearful, heavily armed minority. The post 9/11 *jihadi* culture, that was subsequently to plague Iraq, was just beginning to take root. The institutions of the state were moribund; the state

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[397] Jack Snyder-'*From Voting to Violence: Democratization and Nationalist Conflict*'-W.W. Norton-(2000)-p79

[398] Ali Mamouri-'Iraqi media also characterized by political, sectarian bias'-Am-Monitor,23/2/2009: https://goo.gl/B2FpzO

[399] Linz& Stepan-(1996)-op.cit.pp7-15

exhausted. The ideology that had held Ba'athist rule together had decayed beyond repair.[400]" In other words, the state had to be recreated almost from scratch.

There must also be an institutionalised economic society. Modern democracies neither exist in a pure market economy nor in a command economy. People must have the freedom to conduct business profitably, and at the same time a government that intervenes to remedy market failures. The very working of a modern democracy would lead to the transformation of a market economy into a mixed economy.[401] The Iraqi economy was rentier with 98% of the budget coming from oil revenue.[402]

The consolidation of democracy is closely linked to the consolidation of economic reforms which are necessary for any country undergoing democratization. Democracies are 'unlikely to become institutionalised if broad assumptions underlying the management of the economy lack widespread support or are subject to continuous challenge'.[403] Iraq is a divided society and political and sectarian groups undermine each other. The management of the economy does lack widespread support and is continuously challenged.

Paths to democracy

Different polities may vary in the paths available for transition to democracy, depending on the type of the nondemocratic regime they have been ruled by. There are four types of nondemocratic regimes and two subtypes of democracy, since democracy has 'sufficient value to be retained as one regime'.[404] Still, there are two subtypes of democracy: consociational and majoritarian.

Democracy has the following characteristics:
-Responsible political pluralism reinforced by extensive areas of pluralist autonomy in economy, society and internal life of organization.

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[400]   Allawi-(2007)-op.cit.p16
[401]   Linz& Stepan-(1996)-op.cit.pp7-13
[402]   David Nummy-Bremer-(2007)-op.cit.p28
[403]   Haggard& Kaufman-(1995)-op.cit. p16
[404]   Linz& Stepan-(1996)-op.cit.p40

-Legally protected pluralism consistent with 'societal corporatism' but not 'state corporatism'.

-Extensive intellectual commitment to citizenship and procedural rules of contestation.

-Not teleological.

-Respect for the rights of minorities, state of law and value for individualism. -Participation via autonomously generated organizations of civil society, guaranteed by a system of law.

-Value is on low regime mobilization but high citizen participation.

-Diffuse effort by regime to induce good citizenship and patriotism.

-Toleration of peaceful and orderly opposition.

-Top leaders are produced by free elections and power must be exercised within constitutional limits and state of law.

-Leadership must be periodically subjected to, and produced by, free elections.[405]

Types of Nondemocratic regimes

1-Totalitarian is characterized by the following characteristics:

- Absence of pluralism.

-Official party has de jure and de facto power.

-Party has eliminated almost all pre-totalitarian pluralism.

-No space for second economy or parallel society

-Elaborate and guiding ideology that articulates a reachable utopia.

-Leaders, individuals and groups derive most of their sense of mission, legitimation and often specific policies from their commitment to some holistic conception of humanity and society.

-Extensive mobilization into a vast array of regime-created obligatory organizations.

-Emphasis on activism of cadres and militants.

-Efforts at mobilization of enthusiasm, private life is decried.

-Leadership rules with undefined limits.

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[405]   Ibid-pp44-45

Great unpredictability for members

-Often charismatic.

-Recruitment to top leadership highly dependent on success and commitment in party organization.

_Adherence to utopian ideology.

Undefined limits and great unpredictability, vulnerability for elites and non-elites alike.

2-Post-totalitarian is characterised by the following characteristics: the regime has almost all the other control mechanisms of the party-state in place, but there is limited but not responsible social, institutional and economic pluralism, almost no political pluralism because the party still formally has monopoly of power, may have a second economy but state still has the overwhelming presence, most manifestations of pluralism in 'flattened polity' grew out of tolerated state structures of dissident groups consciously formed in opposition to totalitarian regime, opposition creates second culture or parallel society in mature totalitarianism, guiding ideology still officially exists and is part of the social reality, but weakened commitment to, or faith in, utopia, shift of emphasis from ideology to programmatic consensus that is presumably based on national decision-making, limited debate without too much reference to ideology, progressive loss of interest by leaders and non-leaders involved in organizing mobilization, routine mobilization of population within the state sponsored organizations to achieve a minimum degree of conformity and compliance, many cadres and militants are mere careerists and opportunists, boredom, withdrawal and ultimately privatization of populations values become an accepted fact, growing emphasis on personal security, checks on top leadership via party structures, procedures and internal democracy, top leaders are seldom charismatic, recruitment to top leadership is restricted to official party, but less dependent on building a career within the party's organization, top leaders can come from party technocrats in state apparatus.

3-Authoritarian is characterized by the following characteristics: limited but not responsible political pluralism, often quite extensive social and economic pluralism,

most of pluralism has been in place before the establishment of the regime, often some space for semi opposition. No elaborate ideology but distinctive mentalities, no extensive or intensive political mobilization except at some points in their development. The leader or small group of leaders operates within formally ill-defined but quite predictable norms. Effort at cooperation of old elite groups. Some autonomy in state careers and in the military.

4-Sultanistic regime is the most bizarre in all of the nondemocratic regimes. It is characterized by the following characteristics: unpredictability, social and economic pluralism doesn't disappear but it is subject to unpredictable and despotic intervention. No individual or group in civil society, or political society or the state free from the sultan's exercise of despotic power, no rule of law, no low institutionalization, and high fusion between private and public. High manipulation of symbols, extreme glorification of the ruler, no elaborate or guiding ideology, or even distinctive mentalities outside the despotic personalism. No attempt to justify major initiatives on the basis of ideology, pseudo ideology not believed by staff, subjects or staff, low but occasional and manipulative mobilization of a ceremonial type by clientelistic methods without permanent organization, periodic mobilization of Para-state groups who use violence against groups targeted by the sultan. The leadership is highly personalistic and arbitrary. No rational legal constraints, strong dynastic tendency, no autonomy in state careers, leader unencumbered by ideology, compliance to leaders is based on intense fear and personal rewards, staff of the leader are drawn from members of his family, friends and business associates, or men directly involved in the use of violence to sustain the regime, and staff's position derives from their purely personal submission to the ruler.

What Type is Saddam's Regime?

It will be inaccurate to assign any of the above types to the regime of Saddam Hussein since it had all the characteristics of totalitarian regime, plus most of the

Sultanistic features, from assigning top posts to family members[406], unpredictability, no one in civil society, or political society or the state free from his exercise of despotic power and so on. In fact the Ba'ath regime destroyed the remaining civil society institutions when it came to power in 1968 under Ahmed Hassan Al-Bakir and Saddam Hussein and Iraq became a one party state.[407] I argue the closest to Saddam's regime was the Ceausescu regime in Romania since there were so many similarities between them. Ceausescu's regime was regarded as Sultanistic by Linz& Stepan (1996).[408]

However, Saddam regime changed after the defeat of 1991 after his invasion of Kuwait, not because it evolved and was willing to reform, but because it was weakened by wars, sanctions and defections of supporters to the opposition. Even the dictator's sons-in-law defected with his two daughters in 1995.[409] The definition of sultanism as given by Weber, applies to the regime of Saddam Hussein: Patrimonialism, in extreme case, sultanism, tend to arise whenever traditional domination develops an administration and a military force which are purely instruments of the master… where domination… operates on the basis of discretion, it will be called sultanism.[410]

Sultanism looks similar to Saddamism: 'Under sultanism, there is no rule of law, no space for semi-opposition, no space for regime moderates who might negotiate with the democratic moderates and no sphere of the economy or civil society that is not subject to the despotic exercise of the sultan's will'.[411] Although a sultanistic ruler has no elaborate ideology, Saddam Hussein claimed to believe in the Ba'ath ideology which embraces *Arab unity*, *freedom* and *socialism*, although there were no

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[406]   LA Times, *Hussein Names Half-Brother to High Iraqi Post*, 14/11/1991:
http://articles.latimes.com/1991-11-14/news/mn-1894_1_security-forces
Also, Con Coughlin-'*Saddam: The Secret Life*'-Pan Books-(2007)-p122
[407]   Eric Davis-*Foreign Policy Research Institute, U.S. Foreign Policy in Post-SOFA Iraq*-3/9/2011:
http://www.fpri.org/article/2011/09/u-s-foreign-policy-in-post-sofa-iraq/
[408]   Linz& Stepan-(1996)-op.cit.p349
[409]   Yousif Ibrahim-New York Times-10/5/1996: https://goo.gl/D1BX8z
[410]   Linz& Stepan (1996)-op.cit.p51
[411]   Ibid-p53

instances where he actually applied these principles. He failed to achieve any unity with an Arab country, including Syria that's governed by a 'Ba'ath' party.

Tahir Al-Ani, a senior member of BP leadership bureau and Saddam loyalist till the end, stated that Saddam was opposed to the unification efforts with Syria which Presidents Ahmed Al-Bakir and Hafidh Al-Assad were pursuing.[412] Freedom hardly existed under his regime, while socialism was in name only, even though there were some attempts during the early years of his rule to implement some socialist principles, such as nationalization and the establishment of farm cooperatives, but they were to placate BP leftist members. It was more 'symbolic politics being conducted at a senior level of the regime, than a policy adopted out of ideological convictions'.[413]

After Saddam assumed the presidency, the party broke away with socialism. 'In the 1980s, the socialist ideology of the (Ba'ath) party accommodated itself to capitalism. Nationalised industries were privatised. Iraqi businessmen trying to take advantage of the country's oil wealth often pursued their ambitions through the party'.[414] Loyalty to Saddam personally became the only criterion by which any Iraqi is judged. As Charles Trip stated 'Obedience to Saddam Hussain and proximity to him were now to be the criteria for promotion and indeed for political-and sometimes actual-survival'.[415] There is also the element of personal grandeur in Saddam's behavior that is close to Sultanism. During the UN-imposed sanctions on Iraq after its invasion of Kuwait in 1990, which was regarded as 'the most comprehensive and severe ever imposed against one nation'[416], Saddam built 50 palaces across Iraq using money ear-marked for the Iraqi people in the famous Oil-for-Food programme-(OFF). General Tommy Franks called it the 'Oil-for-Palaces' programme.[417]

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[412]   Tahir Al-Ani-interview-Russia Today-(Arabic)-24/7/2016: https://goo.gl/pyoFqT
[413]   Tripp-(2007)-op.cit.p198
[414]   Tarik Kafala-BBC News-Online-25/3/2003: https://goo.gl/vbvs1T
[415]   Tripp-(2007)-op.cit.p215
[416]   Phebe Marr-(quoted by Toby Dodge-Iraq: from War to New Authoritarianism-Routledge-(2012)-p.25
[417]   Bremer-(2006)-op.cit.p29

There was also an obvious streak of Machiavellianism in Saddam's turn to religion. Ahmed Hashim notes that "despite its original allegiance to militant secularism, Saddam's regime began in the early and mid-1990s to promote the re-Islamization of Iraqi society to buttress its legitimacy. Saddam implemented an official policy of religious revival so that the regime could control the rising tide of faith".[418] Hashim further argues that the regime of economic sanctions imposed on Iraq after Saddam's invasion of Kuwait "promoted the return to religion among the Iraqi population". An Iraqi sociologist had told an American journalist in 2001: "when a society is in crisis like the one we are in, the embargo and all, religion plays a greater part in soothing the psyche of the people and giving the people greater strength to face the crisis".[419]

Why does regime type matter?

Juan Linz & Alfred Stepan (1996) state that 'the characteristics of the previous non-democratic regime have profound implications for the transition paths available and the tasks different countries face when they begin their struggles to develop consolidated democracies'.[420] This is because the structures the previous regime leaves behind can facilitate democratization if the regime was authoritarian, as was the case in Spain in 1970s, since it would have left reasonably developed civil society, economic society, rule of law and a usable bureaucracy. The only item that needs to be created for the democratization was a political society. But if the starting point for the transition was a totalitarian regime, the democratic transition could entail crafting, not only political society and economic society, but also every single aspect of democracy at the same time.[421]

As for a sultanistic regime, democracy crafters, as was the case in Haiti, have to begin the construction of civil society, economic society, political society, constitutionalism and rule of law, professional norms of state bureaucracy from a low

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[418]   Ahmed S Hashim-'*Insurgency and Counter-Insurgency in Iraq*'-Cornell University Press-(2006)-p110.

[419]   Ibid.p111

[420]   Linz& Stepan-(1996)-op.cit.p55

[421]   Ibid

point.[422] This was the case in Iraq, although there was a kind of political society thanks to the exile opposition parties which returned immediately after the fall of the regime, despite the fact that they were not fully aware of the social and political developments inside Iraq. Many Iraqis resented their domination and associated them with foreigners, even though they contributed new ideas and brought in much-needed foreign support.[423] Other sectors such as civil and economic societies, rule of law, usable state bureaucracy were near to non-existent.

Democratization and Economic Development

There is documented correlation between the level of economic development and democracy. It's well documented that there are 'few democracies at very low levels of socioeconomic development and that most polities at high levels of socioeconomic development are democracies'.[424] Most of the major modern transition attempts take place in countries at medium levels of development. 'Robust economic conditions would appear supportive of any type of regime'.

But 'there are good theoretical reasons why sustained economic growth could erode a nondemocratic regime'. 'No theoretical reason why sustained economic growth would erode a democratic regime'.[425] 'Sustained prosperity alters relations of power in favour of democratic forces'. 'Franco's Spain, Pinochet's Chile, Brazil in 1970s and South Korea, had some of the world's highest economic growth'.[426] This has contributed to the enhancement of democratic movements in these countries. Non-democratic regimes have a problem when they do well economically and when they do badly. If they do well, it will encourage people to demand more rights. If they do badly, it will erode the basis of their legitimacy.

But 'If a regime is based on the double legitimacy of democratic procedures and socioeconomic efficacy, the chances of fundamental regime alternatives (given the

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[422]   Ibid.p56
[423]   Phebe Marr-USIP-Special Report-March/2006: https://goo.gl/EmkM2o
[424]   Linz& Stepan-(1996)-op.cit.p77
[425]   Ibid
[426]   Ibid.p78

absence of stateness problem) being raised by a group in society is empirically negligible'. [427] However, no regime is immune to economic downturns but the effects will be different. 'Severe economic problems affect democratic and nondemocratic regimes, especially authoritarian ones, very differently'.[428] There are good theoretical reasons why sharp economic decline will adversely affect stability of both democratic and nondemocratic regimes, although it will affect the latter substantially more because such regimes always base their legitimacy on their performance.

Economic performance of any regime is important for its survival, but 'It's not changes in the economy but changes in politics that trigger regime erosion-that is the effects of poor economy often have to be mediated by political change'. Linz & Stepan(1996) argue 'the question of system blame is crucial for the fate of democracies…A country that is experiencing positive growth, other things being equal, has a better chance to consolidate democracy than a country that is experiencing negative growth. [429]

But it's political perceptions of citizens that really matter to the stability of any regime. 'Where the citizens come to believe that the democratic system itself is compounding the economic problem or incapable of defining or implementing a credible strategy of economic reform, the system blame will aggravate the political effect of economic hard times. More importantly, economic crises will tend to lead to democratic breakdown in those cases where powerful groups outside, or-more fatally-inside the government increasingly argue that nondemocratic alternatives of rule are the only solution to the economic crisis'.[430] There are powerful groups outside the Iraqi government (Ba'athists) and even inside it who believe in non-democratic alternatives.

Current economic downturn in Iraq is causing a lot of problems for the regime itself

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[427]   Ibid.p79
[428]   Ibid
[429]   Ibid.p80
[430]   Ibid.p81

as many people began to question the efficacy of democracy. Mahdi Al-Hafidh, MP, has called for the declaration of emergency due to terrorist threats and economic difficulties.[431] If reforms are to be successful, the ruler must have personal control over economic decision-making and the ability to recruit a 'cohesive reform team and the political authority to override bureaucratic and political opposition to policy change'.[432] The current PM doesn't have such authority and he is struggling to maintain the cohesiveness of his government which is made up of many rival parties. He is unable to replace the ministers who lost the confidence of parliament. As Haggard& Kaufman argue 'centralization of authority has been crucial for economic reform in both authoritarian and democratic regimes'. [433] This is not possible under the current consociational arrangement that exists in Iraq whereby all political parties have to share power according to their representation in parliament.

Where the democratic political actors are incapable or unwilling to search for solutions and even compound the problem by such actions as infighting and corruption, key actors will search for alternatives. But alternatives might not be available. 'In such circumstances, many of these actors might resign themselves to a poorly performing democracy. Such resignation may not prevent crises, upheavals and attempted local coups, but not conducive to regime change, but it certainly makes consolidation difficult and can even deconsolidate democracy'.[434]

This means there is a need for continuous action to keep democratization on track. 'Even the easiest and most successful transition was lived as a precarious process constantly requiring innovative political action'.[435] What is keeping the balance now is perhaps the inability of any of the parties to seize power and rule on its own.

The Spanish economy deteriorated sharply during the transition and didn't improve until 3 years after consolidation in 1982. Spanish unemployment in 1970, under

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[431] New Sabah newspaper-(Arabic)-22/8/2015: http://www.newsabah.com/wp/newspaper/58576
[432] Haggard& Kaufman-(1995)-op.cit. p9
[433] Ibid.p10
[434] Linz& Stepan-(1996)-op.cit.p81
[435] Ibid.p89

Franco, around 3%, was one of the lowest in Europe. In the mid 1980s, it was 20%, the highest in Europe. Economic growth was over 7% from 1960 to 1975; it went down to 1.7% between 1975-85.[436]

This goes to prove two things. First democracy doesn't always lead to prosperity and second, economic downturn under democracy doesn't necessarily lead people to abandon it. The rules of democracy 'guarantee opposition groups the right to challenge incumbent rulers and policies and to replace those rulers through competitive elections'.[437] What complicates this problem is the 'uncertainty of the loyalty of groups associated with the old order'.[438] These groups have certainly played a destabilizing role, but were not able to derail the process.

Outcomes of Democratization

The path to democracy is mined, as Adam Przeworski explains, and 'the final destination depends on the path'.[439] It's fragile in most countries where it has been established, while in others, transitions into democracy were notsuccessful. In other words, transitions don't necessarily lead to consolidated democracy. 'Democracy is consolidated when most conflicts are processed through democratic institutions, when nobody can control the outcomes ex post and the results are not predetermined ex ante, they matter within predictable limits and they evoke the compliance of the relevant political forces'.[440] Przeworski reveals 'the breakup of an authoritarian regime may be reversed, as was the case in Czechoslovakia in 1968, in Brazil in 1974, and in Poland in 1981, or it may lead to a new dictatorship as in Iran and Romania'. Even when democracy is established, it may not be consolidated, as

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[436]   Ibid.p113
[437]   Haggard& Kaufman-(1995)-op.cit.p13
[438]   Ibid.p14
[439]   Przeworski-(1991)-op.cit.p51
[440]   Ibid

democratic institutions may generate outcomes that cause some politically important forces to opt for authoritarianism.[441] Przeworski predicts five outcomes:

1-The structure of conflicts is such that no democratic institutions can last and political forces may end up fighting for a new dictatorship. Conflicts over the political role of religion, race, or language are least likely to be solvable by any set of institutions as in Iran.

2- The structure of conflicts is such that no democratic institutions can last and political forces agree to democracy as a transitional solution as in Argentina between 1953 and 976.

3- The structure of conflicts is such that some democratic institutions will be durable if adopted, but the conflicting political forces fight to establish a dictatorship. This outcome may ensue when political forces have different preferences over institutional framework: unitary versus federalism. This may result in civil war and dictatorship.

4- Political forces agree to an institutional framework that cannot last, although the structure of conflicts is such that some democratic institutions will be durable if adapted.

5- The structure of conflicts is such that some democratic institutions will be durable if adopted and they are.[442]

Prospects

A consolidated democracy is, therefore, one option among at least five. Any of the first four outcomes (excluding the 5th) may apply to Iraq, depending on different readings of the political process. The optimists believe there is hope for Iraqi democratizations to develop and consolidate, while the pessimists believe the only hope is to start from scratch once again which will be almost impossible as the gains made by some parties are not going to be foregone easily by them.

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[441]   Ibid
[442]   Ibid.pp52-53

The Iraqi democratization is neither consolidated nor failed completely. A reversal can happen, as in Czechoslovakia in 1968, in Brazil in 1974, and in Poland in 1981, or it may lead to a new dictatorship as in Iran and Romania, especially with the help of neighbouring countries hostile to democracy for fear of upsetting their internal political setup. But it's clear no single group, political, religious or sectarian, can rule on its own in the foreseeable future. It's also clear that no one country, currently, could really impose its will on all Iraqis. But things could change in the future with Iran being the most influential power in Iraq, with all the Shia groups that it supports or controls.

Ali Allawi describes the emerging political map as combining 'elements of intrigue and corruption'.[443] Regrettably, as Allawi put it, 'plots, as opposed to democracy-building and democratic practice of politics, dominated the political scene, as politicians from various communities engaged in endless bickering over the spoils of power and privilege'. Not many people are working towards consolidating the democratic system at present.

Yes, there has been some progress, but that was due to 'deal-making between political leaders' As Ali Allawi stated. It has failed to produce the national consensus necessary to bridge the widening ethnic and sectarian rifts and consequently create a modern democratic state. The constitution for example 'had all the hallmarks of a series of deals by political operatives'. [444] Article 2A could be triggered by Islamists to achieve their goals. At the same time, it's difficult to change the constitution since this requires consensus among the three main components (Shia, Sunni and Kurds). Any constitutional amendment requires the approval of the majority and must not be rejected by two thirds of the electorate in three provinces as per Article 142-Fourth.[445]

Ali Allawi is pessimistic about the prospects of democracy in Iraq. He contends 'there was no national vision for anything, just a series of deals to push forward a political

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[443]   Allawi-(2007)-p348-369

[444]   Ibid.p417

[445]   Iraqi Constitution: http://www.iraqinationality.gov.iq/attach/iraqi_constitution.pdf

process, the end state of which was indeterminate. There was also no governing plan. The corroded and corrupt state of Saddam was replaced by the corroded, inefficient, incompetent and corrupt state of the new order".[446] Despite all the doom and gloom, democratization in Iraq has not completely failed, but it has faltered and it could fail with the militarization of society, the proliferation of militias and spread of corruption. Islamization of society is not going to lead to democracy and unless it slows down, the future for democracy is bleak.

Liberalism, which is the most important basis of democracy, has shrunk in Iraq and the first victims of this are civil liberties and women. This is manifested in repeated attacks on social clubs and shops selling alcohol. Democracy is not just about elections and changing political leaders, but about freedoms and civil liberties and these must be preserved and protected if democracy is to succeed. Samuel Huntington predicts 'time is on the side of democracy'. This is true, but it also requires political leaders who believe it's 'the least worse form of government for their societies and for themselves'. [447] This principle perhaps is the one that governs the Iraqi political process at the moment, but the main political operators have designs for other alternatives and this could constitute a fatal danger to democracy.

Challenges to Democracy

Democracy becomes consolidated when it is 'the only game in town' according to Linz and Stepan. It's not the only game in town in Iraq currently since political parties can have other 'games' to play. Most of them rely on foreign countries for support and the major ones have armed militias and could resort to using arms when they do not get their way in the democratic process. They have not done it so far on a large scale, although they resorted to assassinations against each other's personnel. They have committed other violations such as using religious symbols, inciting sectarian, regional and ethnic hatred, twisting facts and giving distorted information. The existence of militias has deterred and will always deter the press, the judiciary and the people from investigating, reporting on, or exposing their mistakes and

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[446]   Allawi-(2007)-op.cit.p460
[447]   Huntington-(1991)-op.cit.p316

corruption. In a democracy, there is no place for a militia or any kind of compulsion. People must vote according to their conscience.

Democracy is also described as a 'system where parties lose elections'. So far in Iraq, the Shia alliance (UIA), now called (National Alliance), has won all elections since the first one in Jan 2005. It's true that governments since 2005 have been coalitions, where other parties have participated, but the Shia alliance chose the prime minister and all the ministers, even those fielded by other parties. They also occupied most important positions in the country. Institutional arrangements have not yet been transformed into 'relations of cooperation' between political parties and democracy is not yet 'self-enforcing'.

There is still a lack of identification with the state since there are still groups and individuals who wish to join or form other states. The Kurds for example have publically declared their intentions to establish an independent state, while the Sunnis are talking about a federal region or even an independent state. The Christians and the Yazidis have also come to the same conclusion after their areas were occupied by ISIS and found themselves defenceless while other communities, the Kurds, Sunnis and Shia, have defended their areas and left them to their fate. There are political groups and leaders who emphasize primordial identities for emotional and self interest reasons.

Arab and Kurdish nationalisms are still strong and this is not helpful to democratic consolidation which is enhanced by equal citizenship and the 'common roof' provided by the state for all citizens. The imposition of Shia religious culture on the rest of the country, especially in areas with Shia majority, is not helpful for the development of an Iraqi national identity. Federalism cannot solve the ethnic, religious or sectarian problems since there are no spatial differences between communities and people have been living together for centuries. Although there are provinces in the north with Kurdish majorities, the Kurds live in large numbers in three other provinces; Nineveh, Kirkuk and Dyala as well as the capital Baghdad.

Rules of democracy guarantee the opposition the right to challenge incumbent rulers and replace them in competitive elections. This didn't happen in 2010 when Ayad

Allawi won the elections. The incumbent Islamist PM, Noori Al-Maliki, refused to vacate his position and he got the Federal Court to issue a ruling allowing him to form a coalition after the elections. The idea behind this was that Allawi led a list that was largely Sunni while the leadership of the government should remain in the hands of the sectarian majority group, the Shia, not the political majority led by Allawi which was not entirely Sunni, but cross-sectarian.

Democracy is successful when most conflicts are resolved through democratic institutions but this is clearly not the case in Iraq with the Shia insisting on leading the government and with the existence of militias and armed groups.

With so many ethnicities, sects and religions, the Iraqi population is certainly not homogeneous and this requires more efforts from democracy crafters. This is not to say that democracy cannot be consolidated in a multilingual, multicultural and multi-religious society such as the Iraqi one, but it requires considerable political crafting of democratic norms, practices and institutions. This is not happening yet.

In the interim constitution approved by the Iraqi Governing Council in March 2004, Iraq chose the PR electoral system with Iraq being one constituency. This type of PR system promotes a national political agenda and allows spatially-dispersed communities to be fairy represented in parliament. The first elections of January 2005 were conducted according to this highly representative system.But it was changed by Islamists in the permanent constitution approved by the Islamist-controlled National Assembly. Elections are now conducted according to Iraqi-Modified Saint Lague system which favours established parties over new ones. This will ensure the continuation of Islamist rule for a long time to come.

Finally, polis/demos incongruence is not helpful to democracy but it's very clear in Iraq. There are at least three obvious polities in the country. Shia polity, Sunni polity and Kurdish polity. Within those polities, there are also secular, Arab and Islamist polities. This incongruence creates problems for democratic consolidation especially when it's not addressed at all. In fact there are people who are working hard to deepen it in order to craft permanent constituencies for them.

Chapter 5

Religion and Politics

Religion has become so relevant to our modern world, especially in the Middle East since the advent of the Islamic awakening in the 1970s following the Arab defeat of 1967.[448] Farag Foda, the Egyptian scholar who was murdered by extremists because of his critical views of them, believed that the defeat of 1967 was not regarded as a defeat for Egypt or the Egyptian leadership, but a condemnation of the way that Egypt had adopted Western culture and civilization. Foda believed this idea gained support for the fact that Israel is a religious entity. He observed that violent Islamic extremism appeared in all Arab countries in the wake of the 1967 Arab defeat.[449] Islamic fundamentalism triumphed in Feb 1979 when the Iranian Islamic revolution succeeded in toppling the Shah.

Islam has been a potent force almost everywhere in the world. In Iraq, Islamist parties, be they Sunnis, Shia, were voted into parliament, and ever since 2005, they have been leading the government. This chapter explores the thoughts of John Rawls based on his book 'Political Liberalism'[450] which applies to the idea of incorporating religious believers into political debate and participation. Since it's difficult in a democracy to exclude an important section of society from the political debate, especially in Islamic societies where this section may constitute the majority, it's important to look at ways to incorporate them without compromising either the principles of democracy or the freedom of belief. Since the issue of religion and politics is not exclusive to Muslim societies, which are new to democracy, it's important to find out how democratic societies have dealt with it, and Rawls ideas provide an insight into the issue.

The thoughts of a prominent Muslim scholar, Sheikh Ali Abdur-Razik, regarding the role of religion of Islam in politics, based on his landmark study of 'Islam and the

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[448]   Yvonne Haddad-[in Johannes Janssen-The Dual Nature of Islamic Fundamentalism-Cornell University Press-(1997)-p161]

[449]   Farag Foda-[Johannes Janssen-(1997)-op.cit.p161]

[450]   John Rawls-'*Political Liberalism*'-Columbia University Press-*Press-expanded edition-(1993)*

Fundamentals of Governance', are also examined.[451] Many Islamic scholars, Sunni and Shia, just like Razik, believe that the government should be civil since it's a worldly affair and not concerned with the afterlife. The traditional Shia school (the quietest school) approves of this view.[452] A quietist cleric doesn't demand to participate in government nor presumes to exercise control over the state. He can remain aloof from all political matters, but he is not totally apolitical. 'During times of moral decadence, political corruption, serious injustice, or foreign occupation, he can become more active in politics by offering advice, guidance, and even the promotion of sacred law in public life'.[453]

Razik, an Islamic scholar at Al-Azhar Mosque and University, first published his ideas in 1925, but they came to prominence after the rise of Islamic fundamentalism in the Arab world in the 1970s and 80s following the Arab defeat of 1967 and the triumph of the Islamic revolution in Iran as previously stated. It has become more relevant now with popular uprisings going on in some countries of the Middle East, widely referred to as the "Arab Spring'.[454] I contend that democracy cannot succeed unless it finds a way to reconcile religion with politics. Rawls's thoughts dealt with Christian societies while Razik's thoughts dealt with Muslim societies. A major pillar of democracy is that the government guarantees civil liberties and personal freedoms using the force of the law and the power at its disposal. On the other hand, the politically-religious seek to limit civil liberties and personal freedoms. This paradox needs to be resolved for societies to live in peace and harmony and for democracy to succeed. This study explores possible solutions based on Rawls's and Razik's thoughts in their different contexts. Shia scholars such as Hani Fahs, Muhammed Mahdi Shamsuddeen and Muhammed Hussein Fadhlalla have similar thoughts.

The Shia quietist school, which I have referred to in different places of this study,

[451]   Ali Abdur-Razik-'*Islam and the Fundamentals of Governance'*-Lebanese Book House-(1925).
[452]   Allawi-(2007)-p208
[453]   Babak Rahimi-'Ayatollah Sistani and the Democratization of Post-Ba'athist Iraq'-USIP-June-2007: https://www.usip.org/sites/default/files/sr187.pdf
[454]   More on 'Arab Spring': Routledge Handbook of the Arab Spring-Larbi Sadiki-Routledge-London-2015

provides the ultimate solution to this paradox by making it a religious duty not to interfere in politics except at times of crises. This is similar to the position of Ali Abdu-Razik. But Islamist political parties follow the interventionist school politically, even though they may follow the quietist school religiously. This may sound contradictory to some, but it is expedient politically for political Islam since they want to show ordinary people, who follow the quietist school, that their position accords with the teachings of this school. It's likely the next generation of religious leaders may not belong to the quietist school for many reasons that are beyond the scope of this study.

Political Liberalism

John Rawls' 'political liberalism' calls for the integration of all sections of society within a democratic system, including religious believers, who are 'not going to go away', so they must be integrated into the political debate. It is important to involve all sections of society in the political debate and preserve the interests of all by finding a common denominator among them.

Rawls proposes a political conception of justice that all citizens, be they religious or not, can recognize as valid and acceptable, and be prepared to adhere to. He proposes a political conception that can deal with fundamental political questions that a democratic society usually faces. This conception includes an agreement on what he calls 'constitutional essentials'.[455] These are of two types: principles and rights.

The first type deals with the political process and structure of the government while the second deals with the rights and freedoms of citizens that the political majorities must respect and not take away from them. They include liberty of conscience, freedom of thought and association and the protection of the rule of law. The conception that Rawls seeks to establish is one that all citizens, of all creeds and persuasions, can publicly recognize as valid so that society's 'main institutions and

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[455]   Rawls-*(1993-1996-2005)*-op.cit.p227

how they fit together into one system of social cooperation can be assessed in the same way by each citizen, whatever that citizen's social position or more particular interests'. He calls this political conception of justice 'justice as fairness'. [456]

Rawls cites three traits of modern democratic society. They require that justice as fairness to be seen as a political conception.[457] These traits are:

1- Pluralism

Modern society (or Post-reformation) is characterised by the presence of 'reasonable pluralism' which could constitute a 'reasonable comprehensive doctrine'. This means a moral theory that includes 'conceptions of what is of value in human life, and ideals of personal character as well as ideals of friendship and of familial and associational relationships, and much else that is to inform our conduct, and in the limit to our life as a whole'.[458] He suggests that 'reasonable disagreement is an inherent part of modern democratic life' and that is why 'no one comprehensive religion, doctrine or philosophical or moral doctrine is affirmed by all citizens generally and it would be wrong to expect in the foreseeable future one of them or some other reasonable doctrine will ever be affirmed by all or nearly all citizens'.[459] This means that pluralism of thought and creed will be a permanent feature of modern society and pluralism means no prominence to any doctrine, creed or moral philosophy.

2- Objection to oppression

Post-reformation society recognises that you can only maintain the dominance of one religion or ideology through oppression, namely by the use of massive power by the state. Oppression, by nature, is anti-democratic and anti-modern; therefore, it would be oppressive of the modern state to impose on its citizens the pursuit of any way or ways of living. Since there is reasonable pluralism, oppression won't be allowed by the majority of people, and this oppression-fearing majority won't allow dominance by any religious or philosophical doctrine in society.[460]

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[456]   Ibid.p9
[457]   Ibid.
[458]   Ibid.p13
[459]   Ibid-p-xvi
[460]   Ibid.p37

3- **Quest for Justice**

For the concept of justice to endure in a post-Reformation society, 'it must be actively supported by all citizens, freely and willingly'.[461] Given the presence of reasonable pluralism, a concept of justice needs to be endorsed by widely different and opposing, though reasonable, comprehensive doctrines, for it to be the basis of justification for a pluralistic constitutional regime.

Modern democratic society is characterised by dissensus and debate since there is no single doctrine or philosophical or religious ideology that can form the basis of political regulation without oppressing or excluding some sections of society. Therefore, any conception of justice 'that may be shared by citizens as a basis for a reasoned, informed and willing agreement' must be one that can gain the support of an overlapping consensus of reasonable religious, philosophical and moral doctrines in a society regulated by it'.[462]

A conception of justice must be 'free standing'. That is, it must not exclusively refer to any particular doctrine, be it ideological, religious or philosophical.[463] Justice as fairness must be articulated in such a way that all or most members of the democratic society in question feel they can relate to it. Its basic idea must be found in the 'public political culture' of that society.[464] But at the same time, it must not be, wherever possible, in conflict with any reasonable comprehensive doctrine or doctrines so that the followers of these doctrines won't find it conflicting with their beliefs if they adopt such a concept.

To achieve this correlation between the political conception of justice and religious doctrines, the principles of toleration should be applied to the philosophy behind it itself, i.e., the political conception of justice must avoid any religious, philosophical and moral issues which are in dispute.[465] These issues must be left to the believers themselves to settle among themselves, supposedly through civil and peaceful

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[461]   Ibid.p38

[462]   Ibid.p10

[463]   Ibid.p12

[464]   Ibid.p9

[465]   Ibid.p10

means in accordance with the views that they freely affirm.[466] This has to be done through removing religious issues from political agenda.[467] Once they have been removed, they are 'no longer regarded as appropriate subjects for political decision by majority or other plurality voting'.[468] Removing religious questions from the political agenda is 'not because they are unimportant or regarded with indifference, but because we think they are too important and recognise that there is no way to resolve them politically'.[469]

This attempt to integrate religious believers into the political process may run into obstacles especially when all religious questions and issues should be left out of the political debate. But what if the religiously devout do not agree to this? Rawls distinguishes between the 'public' basis of justification that forms the public political culture of a democratic society, and the non-public justification' which belongs to 'civil society' or 'the background culture'.[470]

It is the public reason, represented by an elected government that can exercise the final coercive power on any section of society because the citizens are regarded as equal by the same public reasons and because they all share one political conception, a public one, irrespective of the reasonable comprehensive doctrine they may affirm. While a distinction between believers or followers of different doctrines can be made within the civil society, in a democratic society there is no distinction between citizens; they are all equal before the law. The reason is public because it's the reason of citizens or the public. Its nature and content are public (as opposed to private); its subject is the good of the public and matters of fundamental justice.[471]

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[466]   Ibid.p154

[467]   Ibid.p151

[468]   Ibid.p151-footnote-16

[469]   John Rawls-'*Justice as Fairness: Political Not Metaphysical'*- Philosophy & Public Affairs-(1985)-p230.

[470]   Rawls-(2005)-op.cit.p220

[471]   Ibid.p213

But public reason has limits.[472] This precludes the expression of certain forms of conviction and argument in public debates, especially when 'discussing constitutional essentials and matters of basic justice'.[473] This limit will not extend to 'personal deliberations and reflections about political questions or to the reasoning about them by members of associations such as churches and universities'. 'Religious, philosophical and moral considerations of many kinds may here play a role'. Limits of public reasons also hold true for citizens as well 'when they are engaged in public advocacy in the public forum and they vote in elections when constitutional essentials and matters of basic justice are at stake'.[474]

Disallowing the employment or the expression of any form of religious arguments and beliefs in public debates is not so rigid. 'Citizens are allowed to present what they regard as the basis for political values rooted in their comprehensive doctrine, provided they do this in ways that strengthen the ideal of public reason itself'.[475]Rawls originally allowed this only in civil society, not political society.

But one can legitimately ask who decides which values strengthen public reason and which ones don't? Is it the citizen him/herself? If yes, how far can this go and when and who will stop him or her if they wanted to employ all their religious values in public debates on the assumption that they 'strengthen' public reason? Religious believers have convictions. They firmly believe in the teachings of their doctrines and they follow them to the letter. How can they be persuaded to follow a different path that may lead them to a different set of values which they may find in conflict with their original beliefs?

Muslim believers, for example, firmly believe it's their religious duty to change others and bring them to their way of thinking and they may not be prepared to compromise on this tenet.

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[472]   Ibid.p153
[473]   Ibid.pp224-225
[474]   Ibid.p215
[475]   Ibid.p247

Society Types

Rawls divides society into three types, depending on the political circumstances they live under.[476] First, a society that is 'well-ordered and its members recognise a firm overlapping consensus of reasonable doctrines and it's not stirred by deep disputes'. In this society, religious convictions should be excluded from public debates in what is called 'exclusive approach'. Second, a society that is 'nearly well-ordered' but subject to serious dispute with respect to applying one of its principles of justice. An 'inclusive approach' should be adopted, especially regarding allowing the state to support religious schools.[477]

Third, a society that is 'not well-ordered' and where there are 'profound divisions' about constitutional essentials when certain religious arguments were tolerated.[478] In this case the focus should be on whether the religious convictions of the believers truly contravene the ideal of public reason. 'Longer term views must be taken whereby the ideal maybe best achieved in good times by following what at first sight may appear to be an exclusive view', in less good times, to be the inclusive view'.[479]

Allowance is given to the timing and circumstances under which the ideal of excluding religious convictions from political debate is implemented. This 'time-line' for the achievement of the goal, or the permitted circumstantial convenience, softens the impact of excluding religious convictions from political debate. It's a pragmatic way of reaching the original goal of total exclusion of religious convictions form political debate through stages if and when it is difficult to achieve it in one go.

Rawls wants religious issues to be taken out of the political agenda completely.[480] This is because religious issues do not serve the political aim of the majority of the public in a democratic society since they are controversial and should be confined to the civil society which nurtures all sorts of issues and arguments.[481] Religious

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[476]   Ibid.p248
[477]   Ibid
[478]   Ibid.p249
[479]   Ibid.pp251-2
[480]   Ibid.p151
[481]   Ibid.p220

questions, arguments and convictions should not even form part of the political vocabulary of the religious believer. The employment of religious convictions or arguments can be tolerated in public debate, only if they supported the 'clear conclusion of public reason'.[482]

Islam and Governance

Sheikh Ali Abdur-Razik argues that the 'Islamic government' (caliphate) was not stipulated in the Qura'an nor in the Prophet's Tradition (*Sunna*). He could not find any evidence in the religious texts to support establishing it. He affirms Muhammed was not a ruler as such; he was a prophet like other prophets before him.

Razik acknowledges that people may have regarded some actions of the Prophet as 'governance', but they were part of his duties as a prophet even though they may have looked as governmental but this was because people 'obeyed him and followed his orders and advice because he was a prophet, not because he was their ruler'.[483] 'The position of the message requires an authority that is wider than that of the ruler and even wider than that of the father on his children'.[484]

He argued that 'If there was a near-evidence to this effect, the proponents of this idea would not have hesitated to use it, but they have failed to bring a shred of evidence to support their claim'.[485] The Qura'an, according to Razik, didn't call for such a government and all the legitimacy that its proponents claim stems from 'consensuses' or 'logic' or 'necessity'.

Caliphate was a mistake

Razik acknowledges that calling the government after the Prophet 'caliphate' was a mistake and the rulers who came after the Prophet should not have called themselves caliphs (successors) because this was misleading. 'Only prophets can succeed prophets' he avers.

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[482]   Ibid.p250
[483]   Razik.(1925)-*op.cit*.p31
[484]   Ibid.p31
[485]   Ibid.p7

He reveals the caliphs were not absolute rulers at the beginning, but were restricted by the principles and rules laid in the Qura'an and the Prophet's tradition.[486] People obeyed caliphs because they believed that 'caliphs had the same status as the Prophet who the Muslims hold in the highest regards and also because they were applying Islam which was the dearest thing to Muslims in the whole universe'.[487]

Razik states that Caliphs remained restricted by Islamic legal jurisdiction until the Abbasid Caliph, Haroon Ar-Rasheed, when the caliphate changed and remained in name only 'due to Arab fanaticism'.[488] It became an absolute rule, yet people kept their allegiance to it nevertheless. He calls on those who attached holiness to caliphate to show the evidence and the source of the caliph's authority.[489] 'They neglected this as they did with all things related to the science of politics or anything that resembled caliphate'.

Razik explains the existence of two views regarding caliph's position. First, the caliph's authority is bestowed on him by God. This view is 'prevalent among most clerics and people. Some caliphs like Mansour claimed he was 'the shadow of God on His earth'.[490]

In addition, scholars and people bestowed this heavenly authority on caliphs. This was widespread and scholars and poets spoke of such an authority for the caliphs. Scholars, especially those who came after the fifth century of the Islamic calendar, had persistently regarded caliphs as 'above human' and not far from the status of God, Razik charges.

Second, a caliph takes his authority from the nation.[491] Razik quotes a poem recited before the second caliph, Omar, by the Arab poet, *Al-Hutay'aa*, in which he told him he was actually authorised and appointed by the nation (as opposed to God). [492]

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[486]   Ibid.P4

[487]   Ibid.p3

[488]   Ibid.p4

[489]   Ibid.p4

[490]   Ibid.p4

[491]   Ibid.p6

He states that scholars such as Al-Kasani likened the authority of the caliph to that of the judge whose authority is linked to people's approval of him since he works in their interest and is appointed by them.[493] He compared the authority of the caliph to that of European kings, which led to European development. 'The first school that believed that caliphs drew their authority from God is similar to the doctrine of Thomas Hobbes, while the other school that believed the caliph should take his authority from the nation was similar to the European doctrine of John Locke'.[494]

The four caliphs who succeeded the Prophet, Abu-Bakir, Omar, Othman and Ali, were actually rulers who dealt with worldly issues. Razik challenged all those who believe that there was a stipulation for an Islamic government in the Qura'an to provide the evidence to support their claims.[495]

 'All fair-minded scholars could not find any evidence in the Book, so they turned to other forms of evidence such as consensus reason and logic'.[496]

Razik explains verses of the Qura'an which might be used as evidence, such as verses 59 and 83 of Chapter 4 which call on Muslims to refer any outstanding issues to the Prophet or those in charge of their affairs to sort out. 'These verses are not used as evidence by the proponents of caliphate or imamate, therefore I am not going to spend a long time on them in order to avoid vanity and fighting with a non-foe'.[497] The most these verses say, Razik explains, 'Muslims have other people they should go to regarding their affairs' and this is a lot wider than the specific 'Islamic government'. The Qura'an 'has dealt with every aspect of religion, and it actually states this clearly, yet it has no specific verse about universal caliphate or imamate. It is a great wonder that the Qura'an, from first chapter to the last one, has described

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[492]   Ibid
[493]   Ibid
[494]   Ibid
[495]   Ibid.p7
[496]   Ibid
[497]   Ibid.p8

everything in details regarding this religion, but you cannot find, not even a mention of, caliphate or imamate in it. Hence, there is a space here for an opinion'.[498]

After exhausting the Qura'an, Razik turns to the *Sunna,* and *hadeeth*, both are regarded as legal sources for Islamic jurisprudence. 'It is not just the Qura'an that has neglected caliphate and didn't address it. The *Sunna* has done the same. It left it and never dealt with it. This shows that all religious scholars could not find one piece of evidence from the tradition; otherwise they would have provided it'. [499]

Arabs and politics

'Why did the Arabs stand perplexed before the science of politics? Why did they neglect to look at Plato's book, *the Republic*, and Aristotle's book, *the Politics*, when both men had impressed them so much that they called Aristotle the 'First Teacher'? Why were the Muslims left in total ignorance of the principles of politics and the types of governments in Greece? Razik wondered.[500] Muslim scholars did not leave the science of politics out of their own accords, it appears. 'It was forced upon them by caliphs and kings' Razik concluded. He asserted it was a direct action by their rulers who felt threatened by any political knowledge by their subjects.

Razik's view of the caliphate is damning. 'The Caliphate, throughout its history, was built on defeating the other. Its throne was always erected on the heads of people and has always been laid on their necks and what is called crown has no life except what it takes of human life, has no power except the one that it takes of their power, no greatness or dignity except what it steals of their greatness and dignity, just like the night; when it is long, it always comes at the expense of the dawn; its brightness comes from the brightness of the sword and the flame of the wars'. [501]

But he reserved a totally different description for Islam. 'It is a religion that, not only has taught its followers brotherhood and equality theoretically, mentored them that

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[498]   Ibid.p8
[499]   Ibid
[500]   Ibid.p12
[501]   Razik-op.cit.p13

'people are as equal as the teeth of a comb', and told them that the slaves you keep are your brothers in religion, but it also trained them on this practically and showed it to them in reality until they began to feel it. Their prophet didn't leave them till he impressed their hearts with this religion and accustomed them to it and their state was not established before an ordinary citizen calls upon the caliph 'If you go wrong, we will correct you with our swords'. [502]

He made a clear distinction between the caliphate as a system of government imposed by force, and the religion of Islam which preaches equality and dignity. The first is established and maintained through oppression and comes at the expense of people's power and dignity, while the second is in people's hearts and consciences, enhances their dignity and calls for equality among them.

Razik states that Muslims were taught by their religion to be free while the caliphate imposes on them a ruler who will curtail their freedom and reduces their dignity and power. 'Muslims are too proud to bow to anyone but God, and they communicate with their God 17 times a day at five specific times with this very belief in mind. Obviously, it is natural for these free people not to submit to one man from among themselves, the type of submission that kings demand of their subjects, unless they are forced to do so by sheer force' Razik concludes. [503] He goes further by asserting that caliphate contravenes the basic principles of Islam.

Religion doesn't need a government

Razik explored other evidence that the proponents of caliphate can come up with to prove their point.[504] 'They say that if the Muslims are to perform their Islamic rituals and rites, there is a need for a government to organize their affairs'. [505] Acknowledging the need for government for any civil society, whether it had a religion or not, be it Muslim, Christian, Jewish or else, Razik ponders: 'If the religious scholars meant by the caliphate/imamate the same as what the scholars of politics

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[502]   Ibid
[503]   Ibid
[504]   Ibid.p16
[505]   Ibid

meant, then they are right that the performance of the religious ritual and rites and interest of the nation do need a caliphate as in 'government' of any type, be it monarchic or republican, despotic, consultative or democratic, absolute or restricted, constitutional, Bolshevik or socialist…. But if they meant by caliphate the type of government that they know (religious requirement), then their evidence is shorter than their claim. It does not stand'. [506]

Razik contends Islam performed better over the years without an Islamic government, while it was adversely affected when there was one ruling in its name. 'Performing God's rites and rituals did not depend on the government which religious scholars call the caliphate, nor on those who people refer to as caliphs. In reality, the welfare and worldly interests of Muslims didn't depend on anything like that. We don't need this caliphate for our religion, nor for our worldly welfare. I could even go further than this. The caliphate has been and still is a catastrophe to Islam and Muslims, and a source of harm and corruption. I could say even more, but it suffices to expose the tangible reality so that you can believe that our religion is not in need of this religious caliphate, nor is our worldly life'.[507]

In conclusion, Rawls ideas regarding incorporating the religious within political debate are relevant to all societies, not just Christian or American society. As he stated modern society is characterized by pluralism, debate and dissensus and no religious or philosophical doctrine is affirmed to by all or nearly all people. If a state is to impose a religion or doctrine on all its citizens, it can only do that by oppression and this is anti-democratic and anti-modern, and there is always an oppression-fearing majority within society which will not let it stand. A conception of justice has to be 'free standing' and recognized by all people of different religions and persuasions, but must not be in conflict with any of the reasonable doctrines in society.

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[506]   Ibid.pp16/17
[507]   Ibid.p17

Razik has coherently argued that there is no stipulation in the Qura'an or Sunna for a specific type of government. In fact he described the 'caliphate' or 'imamate' as catastrophe to Islam and Muslims. The main Shia traditional school, the quietist tradition, believes firmly in the separation of religion and politics. Shia religious leaders, including the current one, Ayatullah Sistani, do not belong to the interventionist school of Ayatullah Khomeini. Islam in general favours a just and fair government and this principle is also affirmed by democracy. Therefore, democratic government can unite the people, achieve justice through a conception of justice that's not in conflict with any religious or philosophical doctrine, yet it relates to political culture of all or most people at the same time.

Since the creation of the Iraqi state in 1921, the conception of justice has never been 'free standing'. It always appealed to one constituency in the country. There was never a conception of justice that appealed to the common political culture of the country which is so diverse ethnically and religiously. The Iraqi state was established as an Arab and Sunni state. The first appealed to the Arabs who are the majority and the second appealed to the Sunnis (Kurds and Arabs) who are under half of the population. But the Sunni Arab ideology ended up alienating both Shia and Kurds who both form the overwhelming majority of the population. Being Arab, it alienated Kurds, and being Sunni, it alienated Shia. As Dr Abbas Kelidar described it 'it was externally irredentist and internally divisive'. All the state symbols were Sunni and Arab. The school syllabi, history and religion books, national holidays and religious holidays were all designed according to the Sunni doctrine.

Shia and Sunni doctrines were founded on two different narratives of history and theology. When the state follows one of them, it basically abolishes the other automatically. In response, the Shia, by and large, boycotted the government and the state institutions altogether and this remained the case for a long time before the main stream Shia began to participate in political and other state activities. The Kurds took up arms against the state right from the beginning demanding their own nation state. Their armed resistance never stopped until 2003.

The monarchy was never able to unite the diverse people of Iraq on one shared

conception of justice, and when the army coup brought it down, it was largely welcomed by the majority of Iraqis, especially the Kurds and Shia. The republic created by General Qssim had a national Iraqist conception of justice. It was 'free standing' since it was shared by most of the people, but it came into direct conflict with Arab nationalism represented at the time by Col. Nassir of Egypt. It was subjected to enormous pressures from Arab nationalists in Iraq and the wider Arab world, agitated by Nassir's pan-Arab rhetoric and also from the largely-Shia tribal-religious alliance which lost out under the new regime when it had tried to be fair to the poor. Qassim's republic finally fell in 1963 and the Arab nationalists came back to control Iraq once again with their old one-constituency discourse and ideology.

When the Ba'athist took over in 1968, the tone of Arab nationalism was doubled while the state remained symbolically Sunni Arab. Although it was officially secular, everything in the state relates to Sunni Arabism. The announcement of the beginning of Ramadan, the declaration of the two religious festivals (*Eid ul Adha and Eid ul Fitr)* as well as the pilgrimage to Mekka (*haj)* were made by the Baghdad First Judge who was always Sunni. The call to prayer over the state radio and TV has always been performed according to the Sunni doctrine. Official school books on history and religion were overtly Sunni with no mention or reference to the opinion of the Shia. This has angered the Shia population and caused a crack in the national unity even among the Arabs themselves who embraced both doctrines. Continuous denial of Kurdish rights has alienated the Kurds further and pushed them to fight their most ferocious war against the state during the Ba'ath regime. The Kurdish rebellion weakened the Ba'athist regime and pushed it to make significant territorial concessions to Iran in the 1975 Algiers agreement to persuade the bellicose Shah to stop supporting the Kurdish guerillas in the north.

The conception of justice was not shared by all citizens, because it was not based on a shared political culture and it came in conflict with the Shia doctrine and the Kurdish sense of nationalism and culture. The state's discourse was never convincing nor acceptable to the rest of the population. It sought to overlook all sub-identities and impose an Arab Sunni identity on all the people including non-Arabs such as the Kurds, Turcoman and Assyrians. On top of that, the state had also

imposed the Ba'athist ideology and way of thinking on everyone and those who didn't assimilate were persecuted.

When the Islamists came to power in 2005, they continued with the same single-constituency discourse and narrow conception of justice, imposing Shia discourse, beliefs and practices on everyone else. Their conception of justice has been for all Iraqis to accept or at least tolerate the Shia narrative of history, religion and culture. This has caused Sunni resentment and contributed to discord, violence, at times civil war, and instability of the country. When there is a Shia religious occasion, the whole country comes to a standstill with major roads closed, work suspended and Shia posters and flags littering the streets of major cities, even the ones inhibited by Sunnis and Christians, and loudspeakers broadcast Shia religious messages and chants. This has continued to cause resentment among non-Shia and non-religious who may constitute a large component of the population.

The Deba'athification law which was issued by the Americans and enthusiastically applied by the new Shia political class has divided society and caused animosity and discord since it targeted a large section of society and it, not only alienated them, but it turned them against the state. In fact Deba'athification was used as a weapon against all Iraqis who lived under Saddam. It was also used selectively against political opponents. Sunnis in particular felt it was designed to marginalise them since most senior Ba'athists were Sunnis. All the rhetoric against Ba'athism that Shia Islamists engaged in was divisive and acrimonious. It alienated a large section of Iraqi society.

The political discourse was not national but Shia, Sunni or Kurdish. This has created at least three polities, in addition to a fourth non-religious one. There are common vocabularies repeated by Shia Islamist leaders which indict all Sunnis. For example, the expression 'incubator environment'-(*al-bee'ah al-hadhina*) that refers to the Sunni areas from where terrorists launch their attacks on civilians. This expression in fact embodies a tacit accusation of all Sunnis of being terrorists or terrorist sympathisers. It makes them feel they lack patriotism and it encourages others to insult them and/or mistreat them.

The Iraqi political discourse is full of divisive terms and issues. Iran, Turkey and Saudi Arabia all represent different concepts. If someone attacks Iran, the Shia automatically believe his/her attack is directed at them. Similarly, if Saudi Arabia or Turkey are criticised, Sunnis feel the criticism is done for sectarian reasons. You do find Shia criticizing Iran, and Sunnis Turkey and Saudi Arabia, but these three countries have also become symbols of division, especially Iran.

Over the years, there has never been a conception of justice in Iraq that was 'free standing' or not in conflict with a major doctrine, and this has contributed to the alienation and the feeling of injustice by large sections of the population and division of society. In order to have a stable democracy and strong state, a 'free standing' conception of justice must be devised and this must relate to the shared political culture of most citizens and at the same time it's not in conflict with any major religious or philosophical doctrine. Although the Iraqi society is diverse culturally, ethnically and religiously, but there are common characteristics relating to the country and its shared culture as well as certain Islamic and Christian values that can be promoted. At the same time, certain divisive sectarian or ethnic practices must be jettisoned in order to create this shared conception of justice that is free standing and appeals to all citizens.

It's clear that employing religion in politics is divisive and doesn't lead to enhancing the national identity or unifying the country. Since there is no stipulation in the Qura'an or Sunna for a religious government, according to the theory promoted by Ali Abdu-Razik and has now been recently embraced by the most senior authority in Sunni Islam, Al-Azhar Mosque.[508] And because the Shia traditional school (quietist trend) approves of separation of religion and politics, and this is supported by the views of many prominent and highly respected Shia scholars and religious leaders such as Muhammed Mahdi Shamsudeen, Hani Fahs and Muhammed Hussein Fadhlallah, devout Muslims, be they Sunni or Shia, can live happily and conscientiously under a secular system whereby there is free standing conception of justice that appeals to all citizens and is not in conflict with any major doctrine.

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[508] AsSafir Newspaper-*Al-Azhar Launches its Document on the Future of Egypt: No Religious State in Islam*-21/6/2011: http://assafir.com/Article/241878

In fact they could make it a religious duty to promote shared values that promote national unity and social coherence. This in turn enhances Iraq's stability and prosperity and maintains the pluralism, debate and dissensus that have become permanent features of modern society.

Major Hurdles to Democracy

Modern society is characterised by pluralism, quest for justice, rejection of oppression and dissensus. The new political class in Iraq has not recognized these principles and still raises the banner of Shiaism, Sunnism, Arabism and Kurdisism among others. The mainstream thinking among the Shia majority is that their way of life, doctrine and culture must prevail because they are the majority. This does not accord with a 'free standing conception of justice' stated by John Rawls.

What is needed is a conception of justice that is recognised and endorsed by all or nearly all citizens. This will achieve justice and removes oppression and at the same time preserves the current pluralism. Democracy is about inclusion of all citizens, regardless of their differences, be they religious, ethnic or regional. Since the Shia doctrine contrasts the Sunni doctrine in almost everything, from the religious calendar to jurisprudence and rituals as well as its reading and interpretation of historical events, it's important to formulate a common ground between all citizens that distances society from disputes and division and adopts a political discourse that is recognised by all citizens, yet not in conflict with any reasonable doctrine.

People can still express and practice their religious views and values, but within civil society. The Iraqi society is deeply divided on religious and doctrinal matters and not well-ordered. According to Rawls' theory, certain religious matters can be tolerated in such a society, but they must support and strengthen public reason. Any divisive issue must be relegated to civil society. This means that most religious issues should be left out of the public debate. However, there are religious principles such as fairness, charity brotherhood and justice can be included in the political debate since they strengthen public reason and all citizens, even non- Muslims can identify with them.

In the last 20 years or so, Iraq has become a religious society, but since religion is so divisive, in Iraq at least with its religiously-diverse population, only those religious vocabulary that support clear conclusion of public reason should be allowed. In a religious society such as the Iraqi one, this would be difficult to implement. However, for democracy to consolidate there must be serious efforts on the parts of the political class to jettison any divisive matter from the public domain. So far, there has been no such effort. In fact the opposite is happening where the Shia are trying to impose their doctrine and culture on the rest of the population, while the Sunnis have resorted to violence to defend their culture and religion.

It has been established in the previous pages that Islam doesn't require a religious government. Muhammed was not a ruler to be emulated, but a prophet, and the Shia traditional school, the quietist trend, believes in separation between politics and religion in the era of the 'Major Occultation' of the 'Absent Imam'.[509] Yet, the main political parties currently operating in Iraq are Islamist which take a different view to the above. They wish to establish a controversial system of religious government that is in conflict with traditional Islamic schools, be they Sunni or Shia, and at the same time anti-democratic by their own admission. They regard the democratic system as anti-Islamic and believe only in 'democratic mechanisms'. This is a big impediment to democracy especially with the spread of traditional religiosity, which was suppressed under Saddam Hussein, as well as illiteracy and political naivety.

If democracy is to succeed in Iraq, there is a need to establish a secular system where only secular parties are allowed to operate and where the national identity is paramount to all other sub-identities. Political Islam can be dealt with in two ways. First; from an Islamic point of view since it runs counter to traditional Sunni religious school and Shia quietist trend, both of which believe in the separation of religion and politics. Second; from a modern democratic viewpoint since Islamists themselves, despite their lack of belief in democracy, operate from within the democratic system, not declaring their animosity to it unless they find it necessary. There has been a distortion, probably intentional, of the meaning of secularism in the Muslim world as

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[509]   Jassim Hussain-'*The Occultation of the Twelfth Imam: A Historical Background*'- Muhammadi Trust-1982). Also, Allawi-(2007)-op.cit.p210

Hani Fahs made clear.[510] It has been portrayed as anti-religion when it's an impartial system that allows all creeds and thoughts to prosper. If this distortion is dispelled though education and awareness-raising measures, people will choose a secular system that will preserve their religious beliefs and culture and at the same time serve their interests in creating a modern society with an advanced political and economic systems.

People's unawareness in politics is also an impediment to democracy especially when this field has been neglected, on purpose, by rulers for centuries, as Ali Abdur-Razik explained in his book.[511] This will take time and it can be remedied though the spread of independent, free and professional media and social media as well as through the accumulated experience as the democratic process moves on. Therefore, people's electoral choices will remain lacking clarity, regarding which of the parties serves them best, until such time as political awareness is improved.

Islamist parties want to establish a system of government that is similar to the caliphate or imamate which Razik identified as unislamic, despotic and comes at the expense of people's dignity. It's also undemocratic since it cannot legislate laws that run counter to established Islamic teachings as the Iraqi constitution stipulates in Article 2A. This is a huge impediment to democracy which is all about satisfying the wishes of the people and serving their interests. In sum, certain religious values which can strengthen public reason and accord with democratic principles can be allowed, but, unless this is all done in democratic and secular settings, some political groups will resort to religion as a way of climbing to power.

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[510]   Appendix-1, p5

[511]   Razik.(1925)-*op.cit.*p12

Chapter 6

Political Islam and Democracy

Introduction

As we saw in the previous chapter, the ideologies of Islamist political parties are based on perceived religious principles which they believe in. In order to understand their different political approaches and ideologies, it's important to examine the main Islamic principles for both Shia and Sunni Islam. But this study is about democracy, not religion or religious doctrines, therefore, I will limit the discussion to what I believe relevant to politics and democratization in Iraq.

Since Sunni Islamist political parties no longer form the main Sunni political body in Iraq, as most Sunni Islamists have given up on political Islam prior to 2010 elections, as explained in chapter 1, I will be focusing on the Shia doctrine and Shia political parties, especially when they have been ruling the country since 2005. Their religious beliefs are no longer a matter for them since they are using them to govern everyone in the country, including those who do not share them.

Historical Background

After the death of Prophet Muhammed, the Muslims were divided on the issue of succession into two groups. One supported Muhammed's cousin and son-in-law, *Ali ibn-Abi-Talib*, to be his successor, while others decided it was a matter of discretion among Muslims and it was up to them to choose his successor.[512] They gathered at the public house of *Beni Sa'eda tribe*, and elected *Abubakir As-Siddique*, Muhammed's father-in-law and long-time friend, as his successor. Although the dispute was settled within six months, when Ali recognised the new caliph, the two

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[512]   Michael Heffernan, *'What's the Difference between Shia and Sunni Muslims*?'(2015): http://islam.about.com/cs/divisions/f/shia_sunni.htm

sides, who were later called Sunni and Shia, remained divided politically and doctrinally till today.[513]

There are at least seven recognizable Islamic doctrines or 'schools of jurisprudence,' (*Mathahib*) followed widely by Muslims, four in Sunni Islam and three in Shia Islam. These seven doctrines are named after their founders: *Al-Hanafi, Al-Maliki, Al-Hanbali and Ash-Shafiei (*Sunni*). Al-Ja'afari, Az-Zaidi and Al-Ismaili (*Shia*).*

The Shia Doctrine

The Shia was a protest movement at the way the succession to the Prophet was conducted by his companions and an opposition to naming Abubakir as caliph. Although Abubakir's accession to power was largely accepted by the majority of Muslims, a group of other companions, who were later called 'the Shia' or 'followers', believed that succession should have remained within the Prophet's family, and since Muhammed had no son, his cousin and son-in-law, Ali, should have become caliph. It was a political dispute, not a religious one.[514] This protest movement developed into a distinct doctrine, led by the descendents of Ali who were the 12 imams revered by the Shia. The development of Shiaism won't be relevant here and has been discussed elsewhere.[515]

What matters are the beliefs and practices that could impede (or enhance) the application of democracy. Believers are inclined to impose their beliefs and practices on others when in government. All citizens and residents of Iraq are likely to be affected, when these beliefs or practices are regarded as part of public life, although they can remain part of civil society as per John Rawls theory. Any political conception of justice must be 'free standing' so that all citizens can recognize as valid and acceptable and can adhere to. [516] If those beliefs become public they will impinge on the lives of the non-religious and other religious minorities who will

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[513]   Syed Husain Jafri-'*Origins and Early Development of Shi'a Islam*'-Longman-(1979)-pp27-53.

[514]   Heffernan-(2015)-op.cit.

[515]   Ibid and also Moojan Momen-'*An Introduction to Shi'i Islam: The History and Doctrines of Twelver Shi'ism*'-Yale University Press-(1985)

[516]   Rawls-(1993,1996,2005)-op.cit.p154

'become more dogmatically biased toward their own sect'.[517] There are at least five religious traits that distinguish the Shia from Sunnis:

Imamate/Infallibility[518]

This stipulates that the nation must be governed by infallible imams designated by God.[519] These are the infallible twelve imams, beginning with Ali and ending by the Mahdi, who the Shia believe to be in occultation for the last 1200 years. He is referred to as the Absent Imam (*al-gha'eb*) or the Expected Messiah (*Al-Mahdi Al-Muntadhar*).[520]

There are two Shia schools within the Twelvers to deal with the vacuum left by the occultation of the Absent Imam politically. One believes that people should take care of their affairs as they see fit until the imam re-appears, and this school is referred to as the 'quietist' school to which the late Shia spiritual leader, Ayatullah Khoei belonged to.[521] Traditionally, most Shia religious leaders belonged to the quietist school. But the current religious leader, Ali Sistani, belongs to a new middle school, although he belonged to the quietist school before 2003.[522] He was even thought to believe in the principle of 'separation of mosque and state'.[523] But after 2003, Sistani believed 'the state was necessary to protect Islam' but this is not the same as demanding direct clerical rule as a precondition to ensuring the Islamic identity of the country'.[524]

Some scholars may have changed their positions after the rise of the second school which believes that Islamic teachings and codes should be applied through the

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[517]   Ali Mamouri-'Iraq's religious minorities and Shiite mourning holidays'-Al-Monitor-14/11/2013: http://www.al-monitor.com/pulse/originals/2013/11/shiite-mourning-minorities-iraq.html

[518]   More on Imamate can be found in the writing of Mohamad Jawad Chirri: https://goo.gl/sfm7Z0

[519]   Muhammed Al-Alousi-'*Shia and Sunna'-(Arabic)*-London: Darul-Hikma publishers-(1992)-p15. Also Mohamad Jawad Chirri-op.cit.

[520]   Jassim Hussain-'*The Occultation of the Twelfth Imam: A Historical Background'*-Muhammadi Trust-1982).

[521]   Allawi-(2007)-op.cit.p210

[522]   Rahimi, Babak-'Ayatollah Sistani and the Democratization of Post-Ba'athist Iraq'-USIP-June-2007:

https://www.usip.org/sites/default/files/sr187.pdf

[523]   Allawi-(2007)-op.cit.p208

[524]   Ibid.209

application of Sharia law by an Islamic government supervised by a jurisprudent. The most prominent proponent of this interventionist school is Ayatullah Khomeini who developed the theory of the 'Rule of the Jurisprudent' which is applied in Iran.[525] The idea of infallibility and 'jurist leadership' are questioned by some Shia scholars, such as Abdulla Nuri, who was Iran's minister of interior in 1990's. Nuri wonders if the 'Jurist Leader' is unveiled, and the Absent Imam is the one who appoints him, "how can we interpret what caliph Ali said, "I'm not free of mistakes"… how can we interpret the Quran verses that mean "consult them in affairs", and "their affairs is established through consultation".[526]

According to Haider Al-Khoei, the grandson of Ayatullah Khoei (died in 1992), Sistani opposes Khomeini's school since he calls for a civil state.[527] However, Sistani's thoughts on politics are middle way between the 'quietist' Khoei and the 'interventionist' Khomeini.[528]

Iraqi Islamists would establish a system similar to the Iranian one and this won't be democratic since it excludes the non-believers in the theory of 'Rule of the Jurisprudent' from participation in government or elections. An Islamic government would automatically exclude non-Muslims, non-religious or even those who believe faith should remain a private matter, from participation and benefits. Those excluded would be a substantial portion of society, in Iraq at least where the majority is secular.[529] Democracy stipulates that no one should be excluded.

Emulation-(Taqleed)

Taqleed literally means 'emulation' and it refers to the requirement of every person who is not well-versed in religious matters to follow the teachings, guidance and orders of a senior cleric, who is carefully picked from a few prominent clerics, as his

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[525]   Ruhollah Khomeini-'*Islam and Revolution: Writings and Declarations of Imam Khomeini'*-Translated and Annotated by Hamid Algar-KPI-London-(1985).

[526]   Sultan Mohammed Al-Nuaymi-Arabian Gulf Centre for Iranian Studies-21/6/2016: https://goo.gl/IpMprs

[527]   Haider Al-Khoei-War-on-the-Rocks-8/9/2016: https://goo.gl/iUTOiB

[528]   Allawi-(2007)-op.cit.p210

[529]   Bremer-(2006)-op.cit.p93

religious guide.[530] This cleric must have a long record of religious studies and must have declared himself as possessing 'the highest knowledge in religion' (*marji3*) with the ability to pass a religious judgment (*ijtihad*).

During the 'Major Occultation' of the Absent Imam, a believer must follow strictly the guidelines of one of the highly acclaimed religious scholars. These scholars have the rank of 'Deputy of the Absent Imam' and have the same authority as that of the Imam's.

What the 'marji3' says is obligatory on his followers. If he declares *jihad*, the faithful must obey without hesitation or they are regarded as sinners if not total infidels. This is where the threat to democracy lies as ordinary Shia develop deep reverence for their religious leaders to the point that they would not question their views, including voting for a specific candidate or list.[531]

Although *taqleed* is confined to religious matters[532], ordinary people do not recognise the difference and ask their religious leaders for political guidance. Ayatullah Basheer An-Najafi issued a televised guidance/fatwa three days before the 2014 election advising believers to vote for the list of (Citizen) led by Ammar Al-Hakeem. At the same time he spoke ill of PM, Noori Al-Maliki, and said voting for his list (SoL) was religiously unacceptable. The fatwa/opinion was aired by TV channels opposed to Al-Maliki.[533]

Notwithstanding the fatwa, SoL increased its parliamentary seats by 4, from 89 to 93. In contrast, the 'Citizen List', in whose favour the Najafi fatwa was issued, increased its parliamentary membership by 14 seats, from 17 to 31.[534] Najafi's followers would have voted according to his guidance, therefore, some of the extra seats can be attributed to the fatwa.

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[530]   See Afzal Hoosen Elias: 'Taqleed': https://goo.gl/z6xCTy
[531]   Fareed Ayar-Appendix-1, p79-80
[532]   Hani Fahs-Appendix-1, p7
[533]   Video on this link: https://www.youtube.com/watch?v=hAjA-5oump8
[534]   Election Guide-op.cit.: http://www.electionguide.org/elections/id/2425/

Shia religious leaders usually issue guidelines to their followers on how they should conduct their lives. The faithful are told if they follow these guidelines, God will reward them in heaven. If not, they will attract His wrath. That's why they refer to their '*maraji3*' in every issue they are not sure about, and the religious leaders have to provide answers for any question asked. They also direct their followers on public issues such as *Jihad*, among other things.

If the spiritual leader's authority is extended to politics, Shia voters, especially the devout, would consult their '*maraji3*' on political issues. During the last four general elections, many voted according to what they believed their religious leaders wanted. If the '*marji3*' didn't have a view on political issues, his associates would provide such a service.

One spiritual leader, Ayatullah Muhammed Al-Ya'aqoobi, established a political party, the Islamic Fadheela (Virtue) Party, IFP, which all his followers joined and/or voted for in elections.[535] The party got 15 seats in 2005, 7 in 2010 and 6 in 2014. Since the leader is a '*marji3*', he must be obeyed by those who follow him. When believers vote, they won't be voting their conscience but the clergyman's conscience as Dr Akeel Abbas put it.[536]

Khums

Khums-(fifth)-is an annual religious tax equal to one fifth of people's incomes (after deducting their cost of living) levied on all the faithful. They have to pay it to their spiritual leader voluntarily.[537] The proceeds of the tax, in addition to the proceeds of another tax, *zakah*, levied at 2.5% on all income before the cost of living, are spent on the ways the spiritual leader feels fit. It's mainly spent on religious schools, salaries of students and staff, housing, endowments and so on.

Jawad Shahristani, the main representative of Ayatullah Sistani and his son-in-law, says 50,000 students are supported by religious tax paid to Sistani. He heads 27

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[535]   Institute for the Study of War: https://goo.gl/KY0AFO
[536]   Appendix-1, p86
[537]   More on *Khums* on Sistani's website: http://www.sistani.org/english/book/48/2286/

institutions that are sponsored by Sistani in Iran, including centres for culture, social welfare, medical care, astronomy, translation, and high tech.[538]

These religious taxes have accumulated over the years and turned Shia religious leaders into powerful figures with numerous mosques, *hussainiyas,* offices, publishing houses, hospitals and schools under their control. A *marji3* is basically a state within state. In a democracy, the state is the only one that collects tax from citizens.

Jihad

Although *Jihad*, has been interpreted as 'holy war' it has a wider meaning, but military action is one of them. In one of the Prophet's *hadeeths*, he referred to the military action as 'minor *jihad*', while the 'major *jihad'* was to exercise self-discipline.[539] But what really concern us here is the 'minor jihad' since other forms of *jihad* are personal and peaceful.

Ayatullah Mahmoud Taleqani-(1910-1979)-an Iranian high-ranking Shia cleric, classified *jihad* into four categories: 'First, *jihad* waged against foreigners in order to "remove those obstacles which are placed before those who cannot see the truth"; second, jihad to protect Islam and Islamic countries, which involves the defence of one's rights and dignity; third, *jihad* against protected minorities (*dhimmi*) if they rebel against the Muslim law and "become hostile (*muharib*)"; and finally *jihad* against the despots'.[540]

Another Shia scholar, Ayatullah Murtaza Mutahhari (1920-1979), whose teachings have greatly influenced many Shia, including Ayatollah Khomeini. Mutahhari argues that 'a purely aggressive war—such as in pursuit of greed, territory, over-ambition, or as a result of a feeling of one's own racial superiority over another group—is incorrect, even evil. However, if a war is undertaken in order to defend one's land,

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[538]   Barbara Slavin-'*Mullahs, Money, and Militias'*-USIP-June-2008: https://goo.gl/BRFWiZ
[539]   Imam Hassan A. Amin-'*What Is This Thing Called Jihad or Islamic Holy War*?'-The Huffington Post-11/12/2015: https://goo.gl/hgMHZf
[540]   Assaf Moghadam-'The Shi'i-'Perception of Jihad-Alnakhla-Fall-2003: https://goo.gl/FP38op

property, freedom, or self-esteem, then war is legitimate, even "commended and necessary for human existence."[541]

Abdulaziz Sachedina, a scholar, author and chair of Islamic studies at George Mason university, points out that one Shia interpretation of *jihad* that dates back to early Islamic times permits the '*jihad* of the Sword' even against fellow Muslims "if the latter are engaged in spreading discord in the earth."[542]

Jihad can only be declared by religious leaders if and when they see fit. Once they issue the *jihad* fatwa, it becomes a sacred duty on every able-bodied Muslim to fight the intended enemy. Although *jihad* is the same among Sunnis and Shia, but it becomes more personal and specific among the Shia because every individual has to follow a certain religious leader, in line with the principle of *taqleed*. If that leader declares *jihad*, they must obey him. If they don't, the individual becomes a sinner or infidel.[543]

Jihad is declared with no regard to the views or discretion of the government or the law of the land, regardless of whether the government is elected or appointed. It can also be declared against minorities (*dhimmi*) as Taleqani decreed, or even fellow Muslims according to Sachedina.

In a democracy, only the elected leader can declare war and even then, he or she is accountable to parliament. *Jihad* could run counter to the basic principles of democracy and the legal state. An elected government is bound by a constitution and accountable to an elected parliament, and thus, should have the first and final say on declaring war, be it defensive or offensive.

Jihad was declared by Ayatullah Sistani against (ISIS) when it attacked the city of Musil in June 2014 and it was obligatory on all able-bodied Shia who follow him to

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[541]   Ibid
[542]   Ibid
[543]   Al-Hurr Al-Amili-'The Tools of the Shia in Reaching the Issues of the Sharia'-Jihad: https://alkafeel.net/islamiclibrary/hadith/wasael-15/wasael-15/index.html

fight ISIS. The *jihad* fatwa contributed enormously to halting the advance of ISIS terrorists on Baghdad.

Shrines and Religious holidays

These are shrines which are presumed to be burial places for imams and revered persons. The most prominent of which are the Imam Ali Shrine in Najaf, Imam Hussein's and Imam Abbas's in Karbala, *Kadhimain* in Baghdad and Al-Imamain Al-Askariyyain in Samara. There are many other shrines across Iraq, although they are less important.

The Shia faithful gather in large numbers at these shrines at certain dates of the Islamic year in order to worship and also attend religious sermons. Many Shia across the world regard visiting these shrines as an important pilgrimage at specified dates such as anniversaries of deaths or births of the imams… Iraqi Shia faithful perform these pilgrimages several times a year, and when they can. Not all Sunnis practice this rite; in fact many of them disagree with it.[544]

Since the fall of the regime of Saddam Hussein, these pilgrimages have become phenomenal. Millions of people go to these shrines and the state has to provide security for these pilgrims in difficult circumstances as terrorist organizations, Al-Qaeda and ISIS in particular, have targeted pilgrims specifically and hardly a single occasion passed without bloodshed.

But all these terrorist threats did not prevent the faithful from participating in these ritualistic practices. These pilgrimages serve to enhance people's beliefs in their faith. They also serve to enhance the authority of religious leaders who could measure their influence through these gatherings. Islamist politicians have used these gatherings to rally political support and almost all of them participate actively in them publically.

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[544]   Michael Lipka and Fatima Ghani-'Muslim holiday of Ashura brings into focus Shia-Sunni differences''-Pew Research Centre-14/11/2013: https://goo.gl/4Fj18Z

These shrines are so important that devout Shia from other countries go to defend them wherever they are, or even foreign states justify interfering in other states to protect shrines. Iraqis have gone to Syria to defend Shia shrines over there.[545] Indian volunteers flock to Iraq to defend sacred shrines.[546] The Iranian President Hassan Rohani pledged to protect Shia Shrines in Iraq against ISIS.[547] This shows the importance of Shrines in Shia Islam. While the Shia regard them as holy, ISIS extremists spare no effort to destroy them and regard the Shia as apostate.[548] Pilgrimage to these shrines has proven to be very disruptive of civil life in major cities. They have caused resentment among the non-religious and members of other sects. Securing millions of pilgrims have also been a costly operation and never accident-free.

The above five Shia beliefs do interfere with the application of democracy and infringe on state and government sovereignty (especially *jihad* and *khums*). They also cause the state to incur a lot of cost in security and lost labour through paid unofficial holidays for state employees.

Sunni Doctrines

The Sunnis have four doctrines which are believed to be close to each other theologically. The differences between them do not amount to making any distinction that is relevant to this study; therefore Sunnis from different *doctrines* act almost as one sect since they agree on all important matters regarding politics and governance.

Sunni scholar, Muhammed Al-Aloosi regarded Sunnis as one sect.[549] Ordinary Sunnis do not feel there is a difference among themselves since all their practices

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[545] Suadad Al-Salhy-*Iraqi Shi'ites flock to Assad's side as sectarian split widens*-Reuters-19/6/2013:http://www.reuters.com/article/us-iraq-syria-militants-idUSBRE95I0ZA20130619

[546] Iraqi News-*30,000 Indians volunteer to fight in Iraq to defend Shia shrines*-27/6/2014: http://www.iraqinews.com/arab-world-news/urgent-30000-indians-volunteer-fight-iraq-defend-shia-shrines/

[547] Rory Donaghy-*Rouhani vows to protect Iraqi Shia shrines*-Middle East Eye-19/6/2014:http://www.middleeasteye.net/news/rouhani-vows-protect-iraqi-shia-shrines-694778309

[548] James Rush-'*Ancient shrines become latest casualties of ISIS rampage*'-Daily Mail-7/7/2014: https://goo.gl/m7CpeZ

[549] Al-Aloosi-(1992)-op.cit. p47-72

and beliefs are similar. Whatever the differences, Sunnis do not believe in, follow, or practice, the above mentioned Shia beliefs (except *jihad*), although one cannot rule out any practice on an individual basis as some Sunnis in Iraq visit some shrines but they do not have elaborate rites of visitations as the Shia do.

There are important Sunni shrines in Baghdad such as Imam Al-Gailani and Imam Al-A3tham. They are also full of worshipers during Fridays and religious occasions. *Jihad* is practiced by Sunnis and all those jihadists who come to Iraq to fight are following this principle.

However, Sunni clerics do not exercise similar authority on their followers as their Shia counterparts do and this is acknowledged even by Sunni scholars such as Ahmed Al-Kubaisi.[550] Nor do they have financial resources to spend on their followers as the Shia leaders. Sunni imams have traditionally been appointed by governments thus, they are state employees who have to follow official guidelines.

On the other hand, Shia clerics have been, and still are, independent of the government, financially and professionally. This gives them the freedom and resources they need to a build large following. One phenomenon that needs attention in Sunni Islam is the spread of extremism and violence. The insurgency in Iraq, explored in chapter-11, had taken an extreme religious/sectarian orientation and attracted fighters from many countries in the Middle East, Africa, Asia and Europe. Those fighters believe they are performing the religious duty of *jihad.*

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[550]   Ahmed Al-Kubaisi-'Video', https://www.youtube.com/watch?v=U2E8M81ntnw
Second video: https://www.youtube.com/watch?v=NutTHlG_r5A

Sunni Arabs

Sunni Arabs in Iraq represent around 20% of the population[551], excluding Kurds and Turcoman who are divided between the two sects, but are politically classified according to their ethnicities.

The Arabs (Sunni& Shia) constitute around 80%, while the Kurds, Turcoman, Assyrians and others form the rest. Muslims form 97% but they are divided between Shia (65%) and Sunni (35%).[552]

The Sunni Arabs were grouped under the Accordance Front (IAF) between 2005-2010, largely dominated by IIP.[553] In the 2010 elections, IAF disintegrated and most Sunni Arabs joined Iraqia list. However, Sunni Islamists were still represented in parliament by IIP (only six MPs). In 2014, they regrouped under Iraqi Forces Union-(IFU).

Other Sunni Islamists (non-Arabs) have different alliances. But, the Islamist Kurds are allied with the secular Kurdistani Alliance-(KA) on ethnic basis. In contrast, the Sunni secular Turcoman were allied to 'Iraqia' List.

There are Sunni Islamists Turcoman who are organized in the Iraqi Turkmen Justice Party which is associated with the IIP and they are represented in the Kirkuk Provincial Council. Iraqi affiliations do not last long after elections, and could change when circumstances change.

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[551]   Chibli Malat estimates Shia between 55-60%, Sunni Arabs at 15-20% and Kurds at 20%, while Shafiq Al-Ghabra has higher figures; Shia 65%, Sunnis (including Kurds) 35% (of 97% of Iraqis). See L. Sadiki-(2014)-op.cit.p464: https://goo.gl/MwqBDl Also, Bremer (2006), op.cit.p38

[552]   Shafeeq N. Ghabra-*'Iraq's Culture of Violence'*-p39-41:

[553]   On IAF, see Adnan Ad-Dulaymi-'*The End of the Journey: A Biography and Memoirs*-(Arabic)-Al-Ma'mun Publishing House-(2012)-Amman.

Shia Islamist Parties

There are four main Islamist Shia parties. They vary in their commitment to, and understanding of, the type of political Islam they seek to implement. They are:

 1-Islamic Da'awa Party-(IDP)

This party was established in the late fifties by Shia clerics to counter secular pan-Arab, socialist and communist movements which swept Iraqi society then, although the spread of communism was the main concern of religious circles at the time.[554] Experts believe IDP was founded in 1958 in response to the declining place of Islam within Iraqi society.[555] There was dramatic fall in the number of students in the Najaf seminary (hawza), from 6,000 to fewer than 2,000 between 1918-1957 and this was worrying for religious leaders and the establishment of the Da'awa was to redress this decline.[556]

Not many people outside the party had noticed any public activities of IDP till after the Islamic revolution in Iran in February of 1979, the year in which the party established a military wing.[557]

The Iranian revolution and the intensifying repression of the Saddam regime against the party expedited its shift from peaceful religious activism to a violent form which employed urban guerrilla warfare. The party planned and executed several explosions and assassination attempts in Baghdad and other Iraqi provinces.

As IDP anti-regime activities intensified, Saddam Hussein issued a decree on 31st March 1980 banning the party and enacting a law that punished IDP members with

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[554]   This was related to me by two founders of IDP, Murtadha Al-Askari whom I met in London in 1992 and Talib Ar-Rifaei whom I met in US in 2005. There are several books in Arabic that detail the history of IDP, among which is *'The Da'awa Party: Facts and Documents*' (Arabic) by Salah Alkhirsan, Arab Establishment for Strategic Research and Studies, Damascus, 1999. See also interview with Rodger Shanahan on: https://goo.gl/2H8Kte

[555]   Roger Shanahan-Meria Journal-June-2004: https://goo.gl/5snUdY

[556]   Ibid

[557]   Ibid

death retrospectively.[558] In April 1980, IDP operatives threw a hand grenade on Tariq Azeez, Minister of Information, while giving a speech at Al-Mustansiriyya University in Baghdad. On April 5th, a grenade was thrown on a crowd mourning the death of students in the earlier attack.[559] Muhammed Baqir As-Sadr, one of IDP's founders, was brought from Najaf where he was under house arrest, to Baghdad to be executed with his sister, Amina.[560] Some sources say he was tortured and his sister was raped in front of him prior to his execution.[561] Many IDP members were executed under that law; others had fled to neighbouring countries, mainly Iran and Syria. As-Sadr had publically supported the Iranian revolution.[562] He declared this support in an interview with the Iranian radio, Arabic service in early 1980, in which he expressed support for the Iranian leader, Ayatullah Khomeini.[563]

IDP believes in the application of Islamic law under the guardianship of a senior cleric that is chosen from existing clerics at the time. The party had a leadership position under the title of 'Spiritual Guide' occupied by Ayatullah Kadhim Al-Ha'eri, although the position has been abandoned by the party, but the guiding principle has not changed. Members of the party have to be practicing Muslims before they join the party according to senior IDP members.[564] Haeri has issued a fatwa to his followers not to elect any secular candidate.[565]

IDP officials in many provincial governing councils have attempted in recent years to apply Sharia Law. They closed clubs, shops, restaurants and hotels which sell alcohol using different pretexts such as the 'expiry of their licenses' or 'complaints

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[558]   For more on IDP, see Imad Salamey and Frederic Pearson-*'The Crisis of Federalism and Electoral Strategies in Iraq'*-International Studies Perspectives-(2005)-pp190-207

[559]   Chibli Malat-'*Pioneers of Islamic Revival'-(ed.* Ali Rahnema)-Zed Books-(1994)-p256

[560]   Chibli Mallat-'The Renewal of Islamic Law'-University of Cambridge Press Syndicate-1993-p18

[561]   Peter Galbraith-*The End of Iraq*-Pocket Books-(2007)-p14

[562]   Roger Shanhan told Musings on Iraq on 13/8/2012 there were two founders of IDP; As-Sadr and Mahdi Al-Hakeem: http://musingsoniraq.blogspot.co.uk/2012/08/a-history-of-iraqs-islamic-dawa-party.html

[563]   Muhammed Baqir As-Sadr, video: https://www.youtube.com/watch?v=wQqnzWZ2jOk

[564]   Habib Al-Shammery-Appendix-1, p158

[565]   Appendix-11

from residents'. This has been widely reported in the media, in both English[566] and Arabic.[567]

They even banned alcohol drinking at the Iraqi Literary Union which is traditionally a liberal organization. The leader of the Baghdad Provincial Council in 2009-2013, Kamil Az-Zaidi, a senior IDP member and currently an MP, took a tough stance against alcohol-drinking. Crackdowns on places selling alcohol continued for a few months and even the Christian Ashurbanipal Cultural Club in Baghdad was raided and ransacked for allowing the drinking of alcohol within its premises and footages of this attack was shown on Al-Sharqia and Al-Hurra TV channels.[568]

Other provincial councils banned music, songs, festivals, art exhibitions and shows and anything they regarded as un-Islamic. One music show was organized by the Iraqi Ministry of Culture to be held in the Babylon province. The IDP-controlled Babylon Provincial Council refused to hold it under the pretext there was 'no suitable place' for it and 'they were not given enough time in advance' to find one! In Basra, the Governing Council there also banned music concerts and this caused public outrage. Many writers condemned these acts.[569] IDP is considered the least violent among Islamist parties in Iraq with educated and sophisticated members.

2- Supreme Islamic Iraqi Council (SIIC)

This party was established in 1983 in Iran. Its original name was (Supreme Council for the Islamic Revolution in Iraq-SCIRI) but it was changed to SIIC in 2008. It was established as an umbrella organization for all Iraqi Islamist groups opposing the Saddam regime. They all joined the council, including IDP. The first SCIRI President

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[566]   Khalid Al-Ansary-'Iraq's Sadr Calls for Ban on Bars, Nightclubs'-*Reuters*-10/12/2010: http://in.reuters.com/article/idININdia-53492620101210

[567]   Muntathar Al-Rasheed and Dina Al-Shibeeb-'Iraqi Night Clubs under Attack by Mysterious Agents', Alarabiya.net-22/9/2012: http://english.alarabiya.net/articles/2012/09/22/239550.html

[568]   Muhanad Muhammed-Reuters-17/1/2011: http://uk.reuters.com/article/us-iraq-alcohol-idUSTRE70G45320110117

[569]   Rasheed Al-Khayyoon-'*Banning looking at the Music letter'*-Al-Ittihad-30/5/2012 http://www.alittihad.ae/wajhatdetails.php?id=66094

See also: Aziz Al-Haj-Asharq-Alawsat-10/12/2010 and accessed on: 24/1/2015: https://www.aswat.com/en/node/4734

was Ayatullah Mahmoud Al-Hashimi.[570] Hashimi gave up the SCIRI presidency in mid 1980s and joined the Iranian government. He became head of the Iranian Judiciary, the third highest position in Iran. He also became member of the 'Council of Guardians'. He reverted to his original Iranian name of Shahroudi.[571]

SCIRI was transformed from an umbrella to a distinct party, headed by Ayatullah Muhammed Baqir Al-Hakeem, who was killed by bomb blast in Najaf on the 29th August 2003, just over three months after his return to Iraq.[572] His brother, Abdul-Azeez Al-Hakeem, succeeded him. He died in 2009 and was succeeded by his son, Ammar.

SIIC is family-led party that seeks to establish an Islamic state. Ali Allawi detected earlier intentions by SCIRI leader, Ayatullah Baqir Al-Hakim, of establishing an Islamic, rather than a democratic secular state. Al-Hakim demanded, upon his return to Iraq, a 'constitutional government where Islamic values and precepts would be honoured'. He also 'spoke of a tolerant and just society, but clearly in Islamic rather than democratic or secular terms'.[573] Allawi asserts that Al-Hakim had a plan to refine the concept of *Marji'3iyya* to give it two clearly distinct identities: one religious and spiritual and another political.

 A leading member of SIIC, Muhammed Al-Haidari, declared in early 2003 that his party intends to establish an Islamic state.[574] Another SIIC member, Sadruddeen Al-Qubanchi said 'power is now in the hands of the people and this means we are not committed to ideas imported from abroad'.[575] It's clear that SIIC is committed to establishing an Islamic government, and not necessarily democratic one. SIIC is disliked by all other Iraqi political parties as Paul Bremer revealed.[576]

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[570]   Mahmoud Hashemi Shahroudi-Profile: https://goo.gl/KCuV2N
[571]   The Majalla-'The Next Ayatollah?'-Mahmoud Hashemi Shahroudi,
         http://www.majalla.com/eng/2009/12/article5511928
[572]   Lawrence Joffe-'Ayatollah Mohammad Baqir Al-Hakim'-*The Guardian-30/8/2003*
         http://www.theguardian.com/news/2003/aug/30/guardianobituaries.iraq
[573]   Allawi-(2007)-op.cit.p111
[574]   Muhammed Al-Haidari-Al-Wasat Magazine-18/2/2004: https://goo.gl/cXt4EB
[575]   Ibid
[576]   Bremer-(2006)-op.cit.pp58-59

The Badr Organization-(BO) which was associated with SIIC since its establishment, broke away and joined SoL in late 2010. Badr's leader, Hadi Al-Amiri, became minister of transport (2010-2014).[577] Badr was a military organization that turned into a political party, but it has reactivated its military wing and it's now fighting ISIS within the *Hashd* (Popular Mobilization Unit-PMU).

3- **The Sadrist Trend (ST)**

This is a popular political/religious movement which was founded by Ayatullah Muhammed Sadiq As-Sadr in 1992 when he declared himself a *marji3* after the death of Ayatullah Khoei. As-Sadr was assassinated in 1999, believed to be by the Iraqi security services, although the regime denied it. A leading BP official, Muhammed Hamza Az-Zubaidi, who served as PM in the 1990s, attended the mourning service of the slain Ayatullah on behalf of the government. But there was no doubt in the minds of most people as to the identity of the killers. It's the regime's agents.

After the fall of the regime in 2003, the residents of poor Shia areas and slums across Iraq, who form the bulk of this movement, looked up to his youngest son, Muqtada, to lead them. It has become a formidable political movement with 39 seats in parliament of 2010-2014. They are officially called 'Al-Ahrar' [the Free]. In the election of 2014, they won 34 seats, which is slightly less but this may not be due to a reduced popularity but to the change of the electoral system.

The movement had a militia, the *Mahdi Army*, which was frozen as a gesture of support for the government, although it was reactivated in 2014 under the name 'Saraya As-Salam' or (Peace Brigades) and now fighting within PMU. ST is strong and intent on applying Islamic Sharia code in every area of people's lives with no hesitation whatsoever. Even before it participated in the first government of Ibrahim Al-Ja'aferi, the movement established 'Sharia courts' in some areas and started

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[577]   Musings on Iraq-'*Badr Organization: A View Into Iraq's Violent Past And Present*'-20/1/2015: http://musingsoniraq.blogspot.co.uk/2015/01/badr-organization-view-into-iraqs.html

issuing warrants and conducting 'trials' with punishments being passed and implemented.[578]

ST's 'Mehdi Army' had fought battles with the American military and also with the governments of PM Allawi in Najaf in 2004 and PM Al-Maliki in Basra in 2008 (called by the government Cavalry Charge).[579]

The Sadrists' first minister of Transport, Salam Al-Maliki, banned the sale of alcohol at Baghdad International Airport.[580] It's still banned as it met with the approval of all Islamist parties in the government. Once a civil law is changed to religious, no one dares to reverse it afterwards. When the Iraqi flag was changed in 2008, no one dared to remove the phrase '*Allahu Akbar*' (God is Great), even though it was added by Saddam Hussein in 1991.[581]

Many religious fanatics, believed to belong to ST, were responsible for killing ordinary people for violating Islamic code, even by shaving beards. ST blamed all such wrong-doings on a breakaway group called, Asa'eb Ahlul-Haq, led by Qais Al-Khazali. The latter group has now entered the political process in 2014 election under the name 'As-Sadiqoon' [the Truthful], and won one seat.[582]

ST was the most zealous and forthright in its intention of applying Sharia Law. They are anti-Western, anti-American and the the most vociferous group in their opposition to 'occupation' since the fall of the regime, even though they benefitted from it considerably through their participation in the government and the representation they have in parliament.

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[578]   Patrick Cockburn-*MuqtadaAl-Sadr: The Shia Revival and the Struggle for Iraq*-Simon& Schuster-(2008)-p173

[579]   Nibras Kazimi-*'What Happened in Basra*?'-NY Sun-9/5/2008: https://goo.gl/ThjX7N
        Nimrod Raphaeli-'Understanding Muqtada As-Sadr'-Middle East Quarterly-(2004).; http://www.meforum.org/655/understanding-muqtada-al-sadr
        Juan Cole, 'The United States and Shi'ite Religious Factions in Post-Ba'athist Iraq', *The Middle East Journal,* (2003), 543-66, and Patrick Cockburn, *Muqtada: Muqtada Al-Sadr, the Shia Revival, and the Struggle for Iraq* (Simon and Schuster-2008).

[580]   Michael Howard-*'Iraqi Minister Incensed by Airport Display Bans Alcohol'-The Guardian*-5/8/2005: https://www.theguardian.com/world/2005/aug/05/iraq.michaelhoward

[581]   See BBC-*'Iraq Parliament Approves New Flag'*-23/1/2008: https://goo.gl/acrxjY

[582]   Counter Terrorism Project: http://www.counterextremism.com/threat/asaib-ahl-al-haq

Iran has developed strong ties with the movement and its leader, Muqtada As-Sadr, went there in 2007 to 'study'. The militia is believed to have been armed by the Iranians. In 2007, it used sophisticated modern devices to kill two provincial governors, the Muthanna, and Diwaniyya governors, both men belonged to their Shia rival, the Badr Organization.[583]

But they have moderated their political discourse and As-Sadr declared those who are fond of weapons and wars are the enemies of As-Sadr family. The movement is now working closely with its traditional rival, SIIC.[584] This moderation came after the breakaway of *'3Asa'eb Ahlul Haq'* which is believed to have a close association with Iran.[585]

In 2014, As-Sadr announced he would withdraw from political life and won't be responsible for the decisions and views of 'Al-Ahrar' bloc in parliament. He was angry at their performance on the pensions bill which gave parliamentarians large salaries and retirement rights.[586]

4- Islamic Fadheela Party (IFP)

This party was established in 2004 by Ayatullah Muhammed Al-Ya'aqoobi. Al-Ya'aqoobi's followers have been part of ST, but, he declared himself a *marji3* and as a result, he achieved theological independence of the original movement.

IFP is an all-out Islamist party and led by an ayatullah who is fully in charge of the rank and file of the party and its literature. When IFP Secretary General, Nadeem Al-Jabiri, showed some independence, he was summarily removed from the leadership.[587] Another party chairman, Abdur-Raheem Al-Hussaini, resigned after an

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[583]   BBC-'Roadside Bomb Kills Iraq Governor': https://goo.gl/VifNQx

[584]   Moushreq Abbas-'Iraqi Shiite Leaders Adapt to Changing Times'-Al-Monitor 2013: http://www.al-monitor.com/pulse/politics/2012/05/al-sadr-and-al-hakim-the-descend.html#
Also Global Security report which shows ST working closely with other rival groups: http://www.globalsecurity.org/military/world/iraq/ina-2009.htm

[585]   Institute for the Study of War: http://www.understandingwar.org/report/resurgence-asaib-ahl-al-haq

[586]   Patrick Cockburn-*'Withdrawal from Politics of Disillusioned Shia Leader'-Independent-17/2/2014*: https://goo.gl/CxNfL2

[587]   Su'adad As-Salihi, 'Al-Fadeela Party', *Al-Hayat Newspaper*-20/40/2006.

argument with Ya'aqoobi.[588] Another prominent member, Sabah As-Sa'edi, MP, also resigned for 'lack of diversity within IFP'.[589]

FIP is hardly democratic, nor is it committed to democracy or freedom. The party seeks to apply *Sharia* whenever possible. In 2014, the Justice Minister, Hassan Ash-Shammari, an IFP member, introduced a controversial personal status bill based on the theology of the Ja'afari doctrine.[590] It would allow the marriage of 9-year-old girls, which is the legal age for marriage in Islamic religious texts.

The bill was highly controversial and even other Islamist parties were not enthusiastic to pass it, perhaps they didn't wish to see IFP becoming the standard-bearer of Islam. Still, the council of ministers passed the law but parliament has not yet approved it. The introduction of PSL by IFP is a clear proof that the party won't hesitate to introduce Sharia law in its strictest version at the first opportunity.

There are other Islamist groupings such as the Reform Trend-(RT), led by Ibrahim Al-Ja'afari. In 2010 elections it got just one seat held by Ja'afari. In 2014, it won 6 seats and Ja'afari became foreign minister.

Non-Arab Shia Islamist Parties

Shia Islamists within other ethnicities such as Kurds and Turcoman either formed parties of their own or factions within Shia Arab Islamist parties. Large sections of the Islamist Shia Turcoman are allied to IDP, SIIC and the ST.

Sunni Islamist parties

Apart from fringe protest groups, such as the Association of Muslim Scholars, which has been diminishing in influence, there is only one Sunni Islamist party in Iraq and this is the Iraqi Islamic Party-(IIP). It was established in the early sixties but it dissolved itself soon afterwards.

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[588]   Iraqcentre.net-2/11/2006: http://www.iraqcenter.net/vb/printthread.php?t=27744&pp=40
[589]   Sumeria News-9/5/2010: https://goo.gl/QnM0h0
[590]   Mushreq Abbas-*'Iraqi Justice Minister Presses Shiite Personal Status Law'*-Al-Monitor-3/3/2014 (https://goo.gl/N76JX8).
Also, Hamid Alkifaey-*'What Iraqi Interest would PSL Serve'*-Al-Hayat-18/3/2014: https://goo.gl/OJwJyF

The Muslim Brotherhood established a branch in Iraq but it suspended its activities in the early 1970s following a crackdown on Sunni Islamist activism by the Ba'athist regime.[591] IIP re-established itself abroad in the 1990s and moved back to Iraq after the fall of the regime in April 2003. It participated in the Governing Council with its leader, Muhsin Abdul-Hameed, becoming GC member and president.

IIP fought the second elections in 2005, in coalition with other Sunni groups, and won 23 seats from the 44-seat for IAF. Ayad As-Samarraei, now IIP leader, became a parliamentary speaker in 2009, succeeding the maverick, Mahmood Al-Mash-hadani, who was forced to resign. But in the elections of 2010, the party only got 6 seats after most Sunnis deserted Islamist overtly sectarian politics and joined the secular cross-sectarian Iraqia List led by Ayad Allawi.

Even IPP leader, VP Tariq Al-Hashemi, left the party and formed his own political entity *Tajdeed* (Renewal) and joined Iraqia.[592] In December 2011, Al-Hashemi fled Iraq to Turkey after being accused of involvement in terror attacks. He was later convicted in absentia of organizing terrorism acts, receiving a death sentence.

Since IIP is a sect-based party, like IDP, IFP, SIIC & ST, all its potential supporters are drawn from the Sunni religious community. It's clear that Iraqi Sunnis, by and large, have deserted Islamists politics and now focus on preserving their rights as a minority.

Islamist Parties under Democracy

The democratic system, for the time being, seems to be the only means by which all Islamist parties in Iraq could remain in existence, given the fact that there is no single dominant group among them currently, although every group seeks to achieve such

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[591]   Iman Abd Al-Hamid Al-Dabbagh-'*The Muslim Brotherhood in Iraq'-(1959 – 1971)]*-Al-Ma'mun publishing House-(2011).pp.340-352 and 382-389.
[592]   Iraq Country Study Guide-Volume 1-(2013)-International Business Publication-USA-p159: https://goo.gl/32ly5n

status.

Despite their Islamist rhetoric, they are deeply divided. As we saw earlier, their backgrounds are different and some of them are led by historically rival families (Al-Hakeem and As-Sadr families who lead (SIIC) and (ST) respectively, are a stark example). Also, IFP is an offshoot of (ST), Badr was traditionally the armed wing of SIIC and there is rivalry now between them. IDP is also divided between the original party and the offshoot which is IDP-IO. In addition, there is now rivalry between two wings within the original IDP; Al-Maliki wing and Al-Abadi wing.

We also noted earlier, that Sunni and Shia sects are historical rivals and have totally opposing interpretations of history and religion. Any Islamist party will have to be either Shia or Sunni and will have to argue issues in accordance with its doctrinal jurisprudence. This means there is a 'natural' divisiveness in Islamist politics which always raises tension, and worse, it could lead to violence or even civil war as we saw in 2005/6/7.

The division among Islamist parties led them to seek alliances with other secular and Kurdish nationalist parties against each other. Following the elections of 2010, Islamists parties such as Sadrists and SIIC among others, were opposed to giving their fellow Islamist, IDP leader and PM, Noori Al-Maliki a second term in office. It was Iranian pressure on other Shia groups, such as Badr Organization, that persuaded them to unite behind Maliki.[593] In 2012, the Sadrists joined secular and Kurdish nationalist blocs in a collective effort to field a no-confidence vote in the IDP-led government of Noori Al-Maliki.[594]

Current PM, Haider Al-Abadi, is only supported by certain Islamists parties, but a large faction of his SoL list, led by former PM Noori Al-Maliki, seeks to undermine his

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[593]   Sami Al-Askari-appendix-1, p20

[594]   The Economists-*No-confidence Vote May Reveal Mr Maliki's Real Opponents*-15/6/2012: https://goo.gl/ZQYcpZ

rule and has managed to unseat his defence and finance ministers in two no-confidence votes that are widely linked to Mr Al-Maliki.[595]

On the other hand, secular parties have also remained, divided, lacking relevant political programmes and charismatic leaders and thus unattractive to the population at large. Perhaps one of the reasons why Islamists have succeeded is the absence of organised secular parties with clear and relevant programmes. The leading secularist, Ayad Allawi, admits secularists have failed but their failure is not as 'intrinsic' as the Islamists.[596]

Despite their deep differences, Islamist parties, be they Sunni or Shia, can unite and have united in the past, on issues which restrict people's freedoms and deprive women of their rights. Only recently, 22nd Oct 2016, parliament passed a law to ban alcohol. Both Sunni and Shia Islamists were united in that and without the coalescence of the Islamist parliamentary Speaker, Saleem Al-Juboori, of Sunni IIP, with Shia IDP, SIIC, IFP and other parties and individuals, the bill would not have become law. The secular Kurdish KDP, whose member, Muhsin Saadoon presides over the parliamentary legal committee, which must have formulated the law, has also connived in this process for short political gains, knowing that the law won't be applied in Kurdistan. Similar actions, such as passing the controversial Jaafari Personal Status Law, could happen in the future which means democracy and civil liberties and freedoms are not safe under Islamists.

This chapter has laid out the main characteristics and backgrounds to Sunni and Shia doctrines as well as Islamist parties which are based on them. This is important in order to have an informed perspective regarding the dynamics of the political process in Iraq today and how volatile the political process can be if religion continues to be used for political purposes.

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[595]   The Arab Weekly-2/10/2016: https://goo.gl/xhr5PA

[596]   Appendix-1, p33

Part 2

Impediments to Democracy

Chapter 7

Use of Religion for Political Purposes

Using John Rawls' classification, the Iraqi society can be described as 'not well-ordered', suffering from 'profound divisions' about constitutional essentials when certain religious arguments were tolerated.[597] Hence, the focus should be on whether the religious convictions of the believers truly contravene the ideal of public reason.[598]

 A conception of justice must be 'free standing' which means that it must not refer to any particular doctrine, be it ideological, religious or philosophical.[599] Justice as fairness must not be founded upon any comprehensive doctrine. It must not bear a relationship to any particular doctrine, but it must be articulated in such a way that all or most members of the democratic society in question feel they can relate to it. Its basic idea must be found in the 'public political culture' of that society.[600]

But at the same time, it must not be, wherever possible, in conflict with any reasonable comprehensive doctrine or doctrines so that the followers of these doctrines won't find it conflicting with their beliefs if they adopt such a concept. We know that Islamic religious discourse is divisive, since it divides people into Sunni

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[597]   Rawls-(1993,1996,2005)-op.cit.p249

[598]   Public reason is an idea developed by John Rawls which requires the adoption of a standard by which moral or political rules can be assessed. It also requires people to refrain from advocating or supporting rules that cannot be justified to those on whom they would be imposed. Only rules that can be justified by appeal to suitably shared or public considerations, such as freedom and equality, should be accepted. At the same time, there must be an abstention from appealing to religious arguments, or other controversial views over which reasonable people are assumed to disagree. For more on public reason, see: https://plato.stanford.edu/entries/public-reason/

[599]   Ibid.p12

[600]   Ibid.p9

and Shia immediately because their differences are so deep and extend to history, politics and culture.

The Shia traditional religious teaching allows, in fact stipulates, the separation of religion and politics. This is the quietist tradition which current religious leader, Ayatullah Ali Sistani belonged to before 2003.[601] On 5th May 2016, Sistani's representative in Karbala, Ahmed Al-Safi, announced that the ayatullah won't be expressing his views on Iraqi political issues as he did in the past.[602] This mneans he doesn't wish to get involved in politics anymore. The mainstream Sunni teaching has a similar position; in fact Sunni scholars over the years have preached that people should always obey the ruler, even if he wasn't a Muslim.

Sheikh Ali Abdur-Razik proved that neither the *Qura'an* nor the *Sunnah* require an Islamic government and the concept of caliphate/imamate was not Islamic but a pursuit by rulers to advance their worldly desires using heavenly means.[603] Iranian Shia scholar, Abdulla Nuri, believes 'with the exception of God, nothing is absolute in Islam'.[604] Prominent Lebanese Shia Scholar and religious leader, Muhammed Mahdi Shamsuddeen believes in 'the nation's right to rule itself in the way it sees fit'.[605]

Lebanese Shia leader, Ayatullah Mohammed Hussein Fadhlalla, called for the establishment of 'the state of human beings'.[606] Now there is a religious basis for excluding religious discourse from public debate, but since Iraqi society is 'not well-ordered', there can be a space for religious discourse but only if doesn't cause disagreement or violence among people who have different religions or doctrines. In other words, any religious discourse must belong to the national political culture and must not be in conflict with any other reasonable doctrine.

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[601] Allawi-(2007)-op.cit.p208
[602] Erem News (Arabic), 5/5/2016: http://www.eremnews.com/news/arab-world/427976
[603] Razik-(1925)-op.cit.(chapter-5)
[604] Asef Bayat-*Making Islam Democratic*-Stanford University Press-(2007)-p92
[605] Hani Fahs, Appendix-1, p6
[606] Saleem Deghash-*Fadhlalla's Theory on State for Human Being-Bayanat.org*-9/10/2015: http://arabic.bayynat.org/ArticlePage.aspx?id=19169

Many observers and participants in the Iraqi political process, including former Islamists, have blamed the use of religion for political purposes for the failure of the democratic process. The main parties which have won elections in the last ten years have been Islamist, be they Shia or Sunni. These parties are not committed to democracy and some have actually been anti-democratic in theory and practice. They have not shrunk from declaring their rejection of democracy because it 'violates the Qua'anic text'.

Why do Islamists reject democracy?

Dia Ash-Shakarchi, who was a cleric during the 1990s and became MP for IDP in 2005, before he turned secular, identified three reasons for Islamists' rejection of democracy. First: 'Democracy means the rule of the people and this contradicts their belief of 'the rule of God' which is one of the necessities of monotheism according to verse-44 of chapter-5 of the Qura'an.

Second is social/ethical reason. One necessity for democracy is for the state to guarantee general and private freedoms. Islamists believe the social aspects of democracy have 'corruptive consequences' (according to their understanding of corruption). Third is political reason which is fear of competition. Non-Islamist political forces may oust them from power if democracy prevails. They fear they cannot monopolize power in a democracy. Pluralism in the framework of an Islamic state will confine competition to the parties of political Islam, excluding secular or 'civil' forces.[607]

The religious rhetoric in the first and second elections in 2005 has induced large sections of the electorate to vote for the Islamist list under the pretext of being the one 'sanctioned by the religious authority'. Although the religious leader Ayatullah Sistani himself never publicly declared his position, he only urged people to vote for the right candidate, but four of his representatives stood with UIA in the first elections of 30th January 2005. This made large segments of the Shia electorate believe that

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[607]   Appendix-1, p124

Sistani supported UIA and this was used by UIA candidates to claim they enjoy the Ayatullah's support. UIA had publically used large posters of Sistani for electioneering purposes across Iraq in the first and second elections in 2005.[608]

Their list number, 555, was emblazoned on these photos to further deepen the impression that he supported UIA. In the second election of 15th December 2005, UIA candidates claimed they still enjoy Sistani's support since it's the same list that he endorsed only 10 months earlier.

Secularists accuse Islamists of not believing in democracy while Islamists say, albeit reluctantly, they do and got to power through democratic 'mechanisms'. Dr Fareed Ayar, member and spokesman of IHEC, admits that Islamist parties have violated the rules right from the first elections, but it wasn't easy to find them guilty because they used tactics that made them not liable legally, such as claiming that those who used religious symbols were their supporters and they have no control over them.[609]

IHEC was and has been weak and incapable of enforcing its regulations. Several serious violations during the first and second elections were reported, but IHEC failed to take action. Over 2000 complaints were submitted and some were very serious ones.[610] Islamists have not hidden their violations either. They used religious symbols, places of worship and fiery sectarian and religious speeches publically. SIIC for example is the most overt in the use of religious symbols. They printed the name of the Prophet and his descendents at the back of their posters to make sure devout Muslims do not throw them away.[611]

All UIA candidates claimed they were supported by the religious leader, Ayatullah Sistani, although he never acknowledged that officially.[612] The interim PM and leader of IDP, Ibrahim Al-Ja'afari, used a prayer book emblazoned with his photo showing him praying to promote himself as a pious man.[613] Also, mosques, religious centres

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[608]   Appendices-5,6 &7
[609]   Appendix-1, p81
[610]   John Hardin Young-International Election Principles-American Bar Association-(2009)-p196
[611]   Missy Ryan-Reuters-22/1/2009: https://goo.gl/YCd0OI
[612]   Faraj Al-Haidari quoted by Reuters-ibid.
[613]   An electronic copy of this photo is within appendix-3.

and supportive clerics were used to promote the UIA. Many of their candidates were clerics who lead prayers and perform religious duties at mosques and religious centres and used them to promote their list.[614] On top of that, there were many candidates who wore religious cloth and this is a strikingly obvious religious symbol.

Religious parties' manipulation of sect and religion to their favour, and violation of the rules contributed to the failure of democratic consolidation in post-2003 Iraq. This is confirmed by elite interviewees who pointed to the numerous advantages that Islamists have over secularists, especially the use of mosques, religious centres and religious cloth and slogans for election and political campaigning. Islamic personalities, especially clerics, are largely immune from blame or criticism due to their religious status. Their mistakes would go unchecked since they are revered by ordinary people and any criticism by rival candidates can backfire on them.

Religious Immunity

Corruption under Islamist parties has intensified and it's difficult for the press, people, and even judges, to question them due to their 'religious immunity', political power and protection of the military wings in their parties. There is no single instance in which a cleric was charged of any wrongdoing, including those accused of murder and kidnapping. Some of their followers are extremists and can take matters into their hands and even kill those who criticize them. Their militias are also active and feared by people. There are several instances of killings and assassinations such as that of journalist Hadi Al-Mahdi on 8th September 2011 in his flat in Baghdad by 'unknown' assailers. Al-Mahdi was an outspoken critic of Islamists and many observers believe his assassination was planned.[615] Kamil Shyaa, the advisor at the Ministry of Culture, was assassinated by armed men as he was going home on 23rd August 2008.[616] Many candidates were assassinated or targeted.[617] Journalists were

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[614]   Sheikh Jalal As-Sagheer-UIA parliamentary leader-(2006-2010)-is the imam of Buratha mosque: https://www.theguardian.com/world/2016/feb/22/iraqis-take-a-bite-out-of-no-chocolate-cleric
[615]   Committee for the Protection of Journalists (CPJ)-8/9/2008: https://goo.gl/dOL29L
Also, Annie Gowen& Aziz Alwan-Washington Post-9/9/2008: https://goo.gl/LKoCFL
[616]   High Beam Research-23/8/2008: https://www.highbeam.com/doc/1G1-183573773.html
[617]   Omar Al-Jaffal- *Iraqi elections marred by hit squads targeting candidates*- Al-Monitor-30/4/2104 https://goo.gl/wKGe1S

killed through targeting rather than combats.[618] The battle between candidates in Iraqi elections was not between equals; Islamists always had the upper hand. It was between the powerful and the weak, the armed and the armless, the revered and the not-so-religious or perhaps the 'infidel'.

Religion was used to immunize Islamist politicians from criticism and they were able to win due to this undeclared immunity and reverence. The situation has slightly changed, and it's possible now to criticise some religious parties and some of their leaders, but it might be a bit late to have any effect. They are now established, rich, organised and powerful, while their opponents are weak, poor, dispersed and divided.

If Islamism has impeded democracy, and protected inept leaders from criticism and kept them in power, can it be argued that democracy needs a secular system to progress?

Shia scholar *Sayyid* Hani Fahs said that the only way to 'activate the humanitarian dimension of religion is through a civil state'.[619] Fahs says he avoids using the word 'secularism', even though he means it, because 'secularism has bad connotations in our countries'. The aim of democracy is to 'reach secularism', and 'secularism without democracy is not really secularism', he asserts. He further contends that 'the principle of separation of religion and politics needs to be applied in the East'. 'Enlightenment is the solution, not Islam' Fahs concludes. [620] This undermines the very basics of the ideology of Islamist parties.

Enlightenment, Fahs contends, means 'creating a state for individuals, a legal state where individuals have free choice and human rights to which we add from our peculiarities without annulling any of their original qualities'.[621] Human rights are one concept even though it has a variety of interpretations, he explains.

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[618] Mark Smyth/CPJ-*Iraq war and news media: A look inside the death toll-March-*2013: https://cpj.org/blog/2013/03/iraq-war-and-news-media-a-look-inside-the-death-to.php

[619] Appendix-1, p5

[620] Ibid

[621] Ibid

But Fahs approves of religious parties participation in the political system although with the qualifications 'under the ceiling of the law'. He calls for 'an administrative and epistemological system that forbids religious parties, peacefully and through democratic means, from forming a religious state'. This statement clearly says a lot. A religious state is not acceptable to him and it should not be allowed. He justifies this way of averting the establishment of a religious state by saying that Western democracies didn't ban religious parties but they imposed the democratic system and culture on them whereby they can be developed through democracy and this is how western religious parties were matured.

Fahs warns of the dangers of religious government for religion. He examines the Iranian example and asks; 'if the people are not happy with their religious government, they would seek to topple it and this would mean 'toppling religion".[622] This is an eventuality that he doesn't wish to see happening anywhere because he fears for the fate of religion. 'We must nurture democratic persuasion through dialogue', he avers.[623]

Fahs reveals the *taqleed* principle (emulation) is limited to religious issues and cannot be extended to political matters. A religious leader can encourage people to vote. If he supports a particular candidate he will 'lose his comprehensiveness and falls'. He acknowledges that 'people do not differentiate between *fatwa*, encouragement or opinion.' Therefore, they can take one to mean the other. He also regards Sistani's representatives standing in the elections of 2005 as a mistake.

Fahs clearly states 'When religion interferes in the making of a state, it corrupts it as much as it interferes in it. When the state interferes in the production of religion, it corrupts it as much as it interferes in it'. He asserts that 'those who wear religious cloth should not engage in politics' and this 'must be enacted within the law'.

Ambassador and former minister, Samir Sumaidaie, accuses Shia Islamist parties of not believing in democracy but they found an opportunity to grab power through

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[622]   Ibid, p6
[623]   Ibid

democracy. 'For them it's simply a ladder to get on top'.[624] It's noticeable that Islamist politicians do not even mention the word 'democracy'; instead, they use 'mechanism'.

Sumaidaie doesn't mince his words. 'The efforts made by the Americans to help install democratic structures … were hijacked, sabotaged, and used as a stepping stone to jump to a position of power. Once that was achieved, power was consolidated using non-democratic means'. This reveals the real fear for democracy in Iraq. Some former Islamists, such as Dia Ash-Shakarchi and Sharwan Al-Waeli, left Islamist parties because of this trend.

Coexistence is Possible!

Sumaidaie contends it's possible for democracy and Islam to coexist. 'Islam is no more reactionary and anti-democratic than Christianity'. 'Democracy could not have been established in Europe without forcing the Church out of the political arena. The same has to happen with Islam'. But why should there be religious reforms? Isn't it easier to separate religion and politics as all democratic countries have done?

Sumaidaie explains what reforms are needed. 'Reforming Islam in such a manner that the more extreme interpretations of its tenets are banished and its softer, more humane and accommodating elements are promoted to a dominant position and the acceptance of the principle of the separation of religion from the state'. He goes on to say: 'Only then will democracy take root and thrive in Islamic societies'.

Many have tried to reform Islam, including Ali Abdur-Razik, but as reformists appear they attract calls to go back to basics. Any religious reform has to be done from within the religious establishment.

It's easier, as many intellectuals have called for, including John Stuart Mill, John Rawls, Ali Abdur-Razik and Hani Fahs, if politicians agree on a political system that respects all religions but operates independently of all, serving citizens of all faiths and creeds in matters that concern their lives, leaving what concerns the afterlife to

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[624]   Appendix-1, p11.

individual believers to manage and religious and philosophical debates to civil society.

Sumaidaie, and others, in comparing democratization in Iraq to what happened in Europe when the church was forced out of politics; they are in effect calling for the establishment of a secular system for democratization to succeed. He rules out the idea of 'Islamic democracy' because 'under Islamist doctrine, certain principles are considered eternal and unchangeable because they are divine instructions, whilst under a secular doctrine, anything can be changed if that is the will of the people'.

Sumaidaie admits the strength of Islamist parties and their ability to mobilize religion to rally the faithful to gain power. 'Religion is a very potent force especially in conservative societies where education is limited and people are not aware of the ramifications of supporting sectarian religious parties' he explains. But with limited awareness, Islamist parties who Sumaidaie says 'have not been performing according to their ideals and proved to be prone to dishonesty, corruption, misuse of power, negligence and incompetence' still get elected.

Would Islamists, when they are in government, work on developing real education and promote awareness if both lead to shrinking their popularity? Or promote the sorts of education and awareness that suits them and perpetuates their rule and influence? They have done the latter and religious education is spreading fast in Iraq.[625]

Islamists' ideas sound good when they are in opposition, but 'they become empty rhetoric when they are in power' Sumaidaie avers.[626] The problem here is that in a rentier state, they have the means to sustain their power, notwithstanding the fact that 'the administration of a country in this highly complex…and requires competent skilled leaders who can use modern tools to achieve specific economic, educational and service results' as Sumaidaie argues. The Muslim Brothers, who 'had no clue

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[625] Adnan Abuzeed-Iraq State Education increasingly religious-Al-Monitor-5/5/2014: https://goo.gl/M661aD

[626] Appendix-1, p13

what to do' according to Sumaidaie[627], have been forced out of power by the military; but had 'democracy' prevailed in Egypt, they would have maintained their power for a while, although the fact that Egypt is not a rentier state didn't work in their favour.

Sumaidaie describes Islamists in Turkey as successful. But he associates this with the fact they are 'not acting as an Islamist but rather as a secular party within a secular political framework'.[628] Secularism has been well-established in Turkey since Ataturk's time and it would be difficult for the Islamists to change that within a short period of time, although the possibility still exists that they may seek to change that.

Prominent sociologist and author Dr Faleh Abdul-Jabbar, argues it's difficult to 'marry' Islam with democracy[629], even though he agrees that there is a space for the religious to live within a democracy, in line with Rawls's theory. 'If tolerance exists, followers of all religions can cohabit peacefully even within a non-democratic state' Abdul-Jabbar asserts.[630] But 'tolerance in the minds of religious persons always comes with 'tacit reserves' even in the most tolerant of countries' according to John Stuart Mill.[631] Perhaps it's misguided to hope for tolerance in a religious society.

The Need for Tolerance

Abdul-Jabbar affirms tolerance comes before democracy and is necessary for any state, be it democratic or not. 'If there is no tolerance, it's difficult for different people to live together even under democracy'. He maintains that 'democracy is based on one man one vote principle' and this gives all people the right to live in the way they wish without infringement on their rights.

Abdul-Jabbar explains 'there is a difference between creed and its interpretations'. He invokes the thoughts of scholars such as Abdurrahman Al-Kawakibi and Hussein An-Na'eeni who interpreted the Islamic creed as requiring the ruler to be constrained by a constitution. The thoughts of the two prominent Sunni and Shia scholars do accord with modern political thoughts. But Islamic scholars cannot all agree on one

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[627]   Ibid
[628]   Ibid
[629]   Ibid, p27
[630]   Ibid
[631]   Mill-(2002)-op.cit.p7

course of action regarding politics and governance; hence the need for tolerance.

Although Abdul-Jabbar accepts that ethnic and religious groups can be represented fairly in elections, he warns 'the collapse of national identity and its replacement by sect, class or race, limits democracy and weakens it'. He attributes the difficulty of questioning PM Al-Maliki to his ability to 'persuade others within his sect that any questioning of him would be a questioning of the whole sect'. This has reduced the whole sect to its representatives in government, he contends.

Abdul-Jabbar highlights the position of Iraqi secularists and liberals who stood in elections. They were considered 'infidels', and thus, were forbidden by Islamist parties in government from participating or holding rallies. 'The Islamic formula for sectarianism is to have a monopoly over the sect and prevent any diversity within the group'. He calls this 'monopoly and prevention' and regards it as a serious impediment to democracy. 'To Islamists, a Shia is the one who is politically Shia and this impedes democracy in a serious way'.

He identifies the absence of accountability and the monopoly of representation, by undermining the chances of non-Islamists of representing the sect and depriving them from benefits, as a serious impediment to democracy. 'This is destruction and an economic war, rather, dictatorship of needs'. [632]

Abdul-Jabbar asserts that Article (2A) impedes democracy. The article was inserted by Islamists. Although clause 2B bars enacting laws against democracy, clause A is stronger because the 'constant Islamic rulings' are known and clearly defined, while the 'principles of democracy' are vague and disputed and no documentary reference to refer to if there was a dispute.

Academic and writer Dr Akeel Abbas believes article 2 is self-contradictory because 'it tries to reconcile irreconcilable contradictions'.[633] 'Democracy and religion belong to diametrically opposed orders of reality'. 'The former is based on debate and

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[632]   Appendix-1, p28
[633]   Ibid, p138

questioning that leads to following the opinion of the majority, while protecting the rights of the minority whereas the latter is based on holy texts that accept no debate or questioning and pay no attention to the opinions of the majority or minority'. Dr Abbas argues this article 'causes conflict instead of establishing balance and gives a disproportionate role to the clergy as the interpreters of religious texts, whereas there are no codified, binding democratic ideas or texts that can be resorted to'.[634]

 There is also the notion of 'different democratic systems' that Islamists always refer to in their arguments. They think this gives them the right to demand a system that 'suits Islamic societies' which might lack fundamental aspects of modern democracy.

Abdul-Jabbar finds it bizarre that the constitution has a stipulation that forbids issuing laws that contravene Islam. But he has words of praise for Ayatullah Sistani. 'The religious establishment has actually made the constitution less extreme (in religious terms) than would have been if left to political Islam'.

Abdul-Jabbar is confident that society has the ultimate say on any restrictions imposed on it. 'Islamists cannot really introduce restrictions against the will of society'. He rules out the possibility of a coup d'état. 'Even the PM cannot launch a coup' because he will face resistance from all population centres….A military violent action can be done, but no coup is acceptable'.

Regarding *'dissimulation',* and whether it affects democracy, Abdul-Jabbar believes it will only restrict people's freedom of choice if clerics interfere in politics. He agrees that Ayatullah Sistani restricted people's freedom in 2005 when he supported the Shia list of UIA. But in 2010, he told people to vote for whoever they wanted. [635]

Former PM, Ayad Allawi, questions the ability of Islamic countries to establish democracy: 'Where and in which Islamic country is there democracy similar or near to what we see in democratic countries? He asks rhetorically.[636] He argues there is a problem in understanding religion in Muslim countries; it 'prevents nurturing democracy'. This echoes the views expressed by Samir Sumaidaie who stipulates

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[634]   Ibid
[635]   Ibid, p31
[636]   Appendix-1, p32

reforming Islam before democracy can take root in Iraq.

Allawi blames foreign influences, colonialism, occupation, lack of self-determination and domestic reasons for 'severely impairing the evolution of democracy in Islamic countries'. To him there exists a religious impediment to democracy not only in Iraq but in Islamic countries as well.

Local Values

'Democracy must take 'local values' into account and it should not be a photocopy of the UK, USA or France' Allawi contends. This is similar to Islamist politicians' demand although the aims maybe different. While Islamists want to adjust democracy to suit their beliefs and interests, Allawi wants to assure conservatives that democracy doesn't lead to abandoning prevalent national and religious values.

As a secular and western-educated, Allawi wouldn't accept tribal values or those critical of women's rights or personal freedoms. Democracy can take local nature, and this explains why French democracy is different to British, American or Indian ones. But democracy must incorporate liberal values, freedoms and minority rights.

The starting point for the democratic process for Allawi is 'the presence of the rule of law, basic rights of citizens and citizenship, and the presence of institutions that can defend democracy'.

He explains how Islamist parties emerged. 'They started as reactions to foreign involvement, degradation and insults that came with it but they soon became too sectarian, violent and authoritarian as we see in Egypt, Iraq, Tunisia… etc'. Allawi is clear. 'The state must be secular'. No place for Islamist parties, which, he described as prone to violence, authoritarianism and sectarianism.

He highlights another point. 'Islamist parties are political entities, not sacred religious beings, and they have no right to pose as the only ones who know Islam and can explain it and use it politically'. Islamist parties are political entities, but they are taking advantage of religion and have clerics as political leaders. Ordinary people cannot distinguish between real apolitical religious leaders, and political leaders who

pose as religious leaders.

Leaders of Islamist parties perform religious duties such as leading Friday prayers and giving sermons in mosques and religious centres.[637] People consult them on religious matters whether in their political headquarters or in mosques and religious centres. They seize any opportunity to express their political viewpoints and promote them as religious positions and require their followers to obey, follow and support them. They may not have the right, morally and politically, but until there is an enforceable law to stop them exploiting ordinary people, they will continue to take advantage of people's religious feelings and unduly benefit from this practice.

John Stuart Mill states 'in the modern world, the greater size of political communities, and above all, separation between spiritual and temporal authority … prevented so great an interference by law in the details of private life'.[638] Separation is necessary for the prevalence of freedom which is necessary for democracy. He interprets the separation of religion and politics as 'placing the direction of men's consciences in other hands than those which controlled their worldly affairs'. [639]

Mill outlines 'the disposition of mankind, whether rulers or fellow citizens, to impose their own opinions and inclinations as a rule of conduct on others, is so energetically supported by some of the best and some of the worst feelings incident to human nature, that it is hardly ever kept under restraint by anything but want of power; and as the power is not declining, but growing, unless a strong barrier of moral conviction can be raised against the mischief, we must expect, in the present circumstances of the world, to see it increase'. [640] He warns of the revival of religion and compares it with bigotry in the uncultivated mind that could provoke people into actively

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[637]   Ayatullah Muhammed Al-Yaqoobi-(IFP)-Muqtada As-Sadr-(ST), Ammar Al-Hakeem-(SIIC), Jalal As-Sagheer-(SIIC), Sadruddeen Al-Qubbanchi-(SIIC), Ali Al-Allag-(IDP) Abdul-Haleem Az-Zuhairi-(IDP), Khudair AL-Khuzaei-(IDP-IO) and Khalid Al-Atiyya (SoL), among many others are clerics who perform religious duties in addition to being political leaders.
[638]   Mill-(2002)-op.cit.p11
[639]   Ibid.p11
[640]   Ibid.p11-12

persecuting those whom they have never ceased to think proper objects of persecution'.[641]

Although Allawi admits that secular parties have failed but he distinguishes between their failure and that of the Islamists'. 'National and socialist parties have failed after decades of being in power (while) Islamist parties have failed in a much shorter time'. Is there any difference? Allawi replies: 'The failures of Islamist parties are mainly intrinsic while the failures of old secular parties are largely external (e.g. Cold war) as well as intrinsic'.

If Islamists' failure is 'intrinsic', there is no hope for real democracy with them in power since they will fail due to focusing on the wrong issues. Politics is about managing people's affairs and providing services to them. Using religion is merely an attempt to grab power. Samir Sumaidaie puts it eloquently; Islamists' ideal model is 'one man, one vote, one time'.[642]

But once you are in power, you need to succeed, otherwise people will throw you out, if not peacefully, under democracy, it's violently. Islamist parties need to focus on how to serve the people and stop interfering in people's personal matters or conducts. Dr Akeel Abbas calls this 'political religiosity', and he believes it can only 'deepen sectarian identities and undermine Iraq's national identity'.[643] He adds 'Religion in Iraq is essentially sectarian, hence divisive instead of uniting'! Ali Allawi argues 'people's mood could change and if religion is useful now, it may not be so in the future'.[644]

Democratic Mechanism

Islamist MP Dr Walid Al-Hilli thinks of democracy as a 'mechanism' no more. He seems to confuse democracy with the Islamic principle of 'shura' which means consultation.[645] This shows he has some objection to 'democracy'. Akeel Abbas contends that 'even those pro-democracy enlightened clergymen and Islamists cannot cite from Islamic teachings any real evidence in support of democracy

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[641]   Ibid.pp25-26
[642]   Appendix-1, p132
[643]   Ibid, p87/88
[644]   Ibid, p68
[645]   Ibid, p34/35/37

beyond the reference to the *shura* principle which merely involves consultation among the elite about state decisions and policies (little to do with democracy as people's real participation in selecting their representatives and rulers)'.[646]

As a member of IDP leadership, Al-Hilli has been participating fully in the democratic process in Iraq since its inception. Many suspect he and his party are seeking a different political system than a liberal democracy when they are questioned in depth. He emphasized '*shura*' and 'democratic mechanism'. He clearly believes in a system other than democracy. 'Shura' is non-obligatory advice to the ruler. In line with this tradition, the Iranian parliament is called (Majlis Shura Islami) or Islamic Consultative Assembly. Al-Hilli asserts that 'the practice of *Shura* in Islam preceded the introduction of 'democratic mechanisms' in the West by hundreds of years'. To him, both democracy and *shura* refer to the 'necessity to consult the nation (*umma)*'.

Obviously, there is a great deal of difference between democracy and consultation. Democracy is mandatory, while consultation is optional. When people vote in a democracy, they in effect 'appoint' new leaders and 'sack' old ones, or renew the mandate for old ones and reject the new seekers of power. It's people's decision. In a consultation, there is no decision taken by the consulted. It's the ruler who initiates the consultation and the advice is not obligatory.

Al-Hilli even went as far back in history as the era of King Solomon to give examples for democracy! He invokes the story of the 'Queen of Sheba' and how she consulted her people seeking their opinion on how to respond to a letter from King Solomon (delivered by a hoopoe). There are no modern instances of democracy in his mind, something which doesn't bode well for democracy.

Al-Hilli contends that Islam encourages 'consulting' people and it gives incentives for it, which is 'the great reward in heaven'. This sort of encouragement, according to him, makes people committed to the idea in contrasts with western democracy which 'has no incentives'. '*Shura* is subject to the principles and moral values which direct all Muslims towards the aims that satisfy God' while 'democracy differs from Russia's

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[646]   Ibid, p86

to America's and European countries', each understands it differently'.[647] So democracy and *shura* are two different concepts now, although they are substitutes except shura is better since it has 'incentives'. Worse still, democracy is not one and the same thing since 'it differs from one country to another' according to Dr Al-Hilli, and this means that 'Iraq can have its own democracy designed especially for it which will be different from the democracy prevalent elsewhere'.

However, Al-Hilli makes a distinction between different Islamist parties since 'they believe in different political principles'. 'Their problem stems from their understanding of Islamic creed'. He acknowledges, however, that there are parties which use religion for political purposes. 'They are nationalist, sectarian or liberal but they use Islam to deceive people'. He also acknowledges that some Islamist parties made big mistakes but he blames this on 'their lack of experience and lack of openness to Islam with its wide concepts'.[648] Does this mean that politicians can use Islam for deception? This is another reason to choose a secular system.

Al-Hilli agrees that extremism and the use of '*takfeer*' [excommunication] is a problem, in addition to 'narrow horizon' and failed political programme. But he maintains there is a need for Islamist parties 'as much as there is a need for non-Islamist parties'.

Al-Hilli argues '*shura* and democracy and the diversification of views all help to diversify parties in performing their roles. We don't fear the multiplicity of Islamic or secular parties and their different programmes, but we do fear the infiltration of these parties by intelligence agencies of this country or that, making the party a platform for this country or that country or its intelligence agency'.[649]

What is worrying for many in Iraq in positions like Al-Hilli's is the open rejection of democracy. This is a serious impediment to democracy since Al-Hilli's views represent a trend prevalent in Islamist parties which currently dominate Iraq. If moderate Islamists parties, such as IDP, do not believe in democracy, the hardliners

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[647] Appendix-1, p35

[648] Appendix-1, p36

[649] Ibid

are certainly hostile to it. If democracy is to be established for real, it is imperative to remove this impediment. Political parties must declare their commitment to democracy, as opposed to consultation. The public must be educated that the only democracy that can serve the people is the one that is recognised in established democracies in Western Europe, North America, and Japan. Other versions, if they existed, are modified to serve the interests of certain classes and parties; the poor and ordinary are not among them.

Economist Dr Kadom Shubber argues that it is difficult to restrain Muslim scholars from expressing their views on issues they feel strongly about. He calls for a 'civilised dialogue to instill the ingredients of a healthy and functioning democracy' and as a result he expects all interlocutors, including religious and tribal leaders, to respect the decisions of the representatives of the people.[650]

Shubber agrees that politicians shouldn't wear religious cloths in order not to give the wrong impression. He affirms that 'for a democracy to function effectively, those in power must regard themselves essentially as takers from the voters who put them in their positions, if this happens the electorate would be free to exercise their power.

But religious parties tend to oblige people morally and religiously to vote for them. The electorate are now takers from politicians and those in power due to the use of religion and the position of Iraq as a rentier state.

Author Dr Kanan Makiya says, when he authored his two famous books "the Republic of Fear" and "Cruelty and Silence", he thought 'anyone would be better than Saddam Hussein in the leadership of Iraq'. But he is disappointed now with the rule of the religious parties whom he labels as a 'thieving mafia' because they 'distribute state posts on the basis of stealing the state'.[651] These are Strong words from Dr Makiya on the religious parties which came to power in part due to his oppositional activities to the regime of Saddam Hussein and persuasive lobbying of the Bush administration.

Like Sumaidaie and Allawi, Makiya believes that Islam can and must change as

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[650]   Appendix-1, p41
[651]   Ibid, p45

happened in Judaism and Christianity. 'Catholics jettisoned a lot of their religious practices in order to accord with modernity'.[652] He can even see 'signs for rationalism' in Islamic thinking, especially among the young generation. He sees a crisis within Islam but he believes the 'new Islamists' will be able to change that and argues there is a sector of society that is determined to 'rethink everything'.

These modernizing and reformist trends cannot really face violent Salafist trends, such as Al-Qaeda, ISIS, Nusra Front, Taliban, Boko Haram, Ash-Shabab, and others in different parts of the Muslim world, so they are silenced by the sheer power and brutality of the violent trends. Violent religious trends must be defeated first before any modernizing can take place. Makiya believes that within the Shia doctrine 'there is a room for flexibility'. In this he agrees with Faleh Abdul-Jabbar who indicates that there are 'large islands of liberalism' within the Shia doctrine in comparison to small ones within Sunni Islam.[653]

Makiya maintains that 'change is possible and Islamic tolerance is possible'. He regards tolerance as a temporary substitute to secularism. He argues tolerance is easier to achieve than secularism; yet, like Hani Fahs, he regards 'the separation of state and religion as necessity for religion'. It might well be good for religion to be independent of politics, but what most people are concerned about is the state and society. Religion should be the exclusive realm of religious leaders and scholars. 'We are talking of natural developments that will happen eventually, not necessarily now' he explains. Makiya blames Iran for whatever is happening to Iraq. 'It's Iran who supported the religious parties. Without Iran they would have had no influence'. [654]

Hussein Al-Hindawi asserts that religion has played certain roles against the application of democracy, even in Europe. But he reckons that this is not always the case. 'Religion can play a role in favour of democracy. 'Religious leaders can present Islamic ideas which serve democracy but do not contravene Islam.[655] He finds common grounds between Islam and democracy. 'Islam favours a just rule and democratic rule is just … it's fair with all people'.

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[652]   Ibid, p46
[653]   Ibid, p27
[654]   Ibid, p46
[655]   Ibid, p49

Islamic Democracy

Al-Hindawi doesn't explain why a religious leader should promote democracy when he doesn't believe in it. They must believe the application of democracy is in their interest. They may do so once they come under popular pressure. In Lebanon, religious leaders such as Muhammed-Mahdi Shamsuddeen believed in the mandate of the nation on its destiny.[656] Hani Fahs believed in the separation of state and religion.[657] Ayatullah Muhammed Hussein Fadhlalla believed in establishing the 'state of human beings' bereft of any ideology.[658] Al-Kawakibi and Al-Na'eeni before them believed in restricting the ruler.

In Tunisia, there is a moderate Islamist movement led by Rachid El-Ghannouchi, who believes in diversity. Ghannouchi has recently adopted 'Islamic democracy'. 'Ennahda has moved beyond its origins as an Islamist party and has fully embraced a new identity as a party of Muslim democrats' Ghannouchi wrote in Foreign Affairs.[659] Not only that but he announced that his Islamist party has given up all its social and religious activities and will focus on political activities only. This is because there is a popular culture to support these ideas, as Hani Fahs had explained, and those religious leaders have read this culture accurately.[660]

Dr Al-Hindawi distinguishes between different religious scholars, depending on their positions on secularism. He says Ayatullah Kadhim Al-Haeri, who lives in Iran but has Iraqi followers, is against secularism, while others have no problem with it.[661] Al-Hindawi charges that religious parties exploited religious scholars who have no political project. This is largely true since they claimed Sistani supported them while the ayatullah has no political project except in exceptional circumstances.[662]

Al-Hindawi elaborates that the Shia project in 2003 was to 'return the rule of Iraq to the majority and this was done during the first elections'. He thinks they should have

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[656]   Hani Fahs, Appendix-1p6
[657]   Ibid, p5
[658]   Deghash-(2015)-op.cit.
[659]   Foreign Affairs-September/October 2016: https://goo.gl/xDMgGA
[660]   Ibid
[661]   Appendix-11
[662]   Rahimi-(2007)-op.cit.

stopped at that and built a modern state based on democracy. 'Some clerics have no problem with building a modern state', he maintains. The religious authority 'can take a corrective position' on politics he advises. 'Imam Khoei believed in the separation of religion and politics'. Al-Hindawi affirms Shia religious scholars are not hostile towards democracy since building a just state is in the interest of the Shia and the Muslims.[663]

He demands that religious leaders should explain their positions and declare whether those Islamist political parties represent them. They should forbid them from using their names. He maintains that religious parties are not democratic nor are their constitutions. But 'they have become more professional in using democratic language and democratic game for their interests' he admits.[664]

Dia Ash-Shakarchi attributes the difficulties of democratization in Iraq to the 'prevalence of strict and closed-minded religiosity and the weakness of the culture of religious tolerance especially among the religious or those who possess an emotional loyalty to the sect'.[665] Shakarchi, like Hani Fahs, blames the 'prevalence of a wrong, distorted and warped conception of secularism' in Iraq and the Muslim world where it is regarded as anti-religious.

Shakarchi regards a religious *fatwa* in political affairs as a serious impediment to democratic transition and calls for the practice of issuing *fatwas* in political affairs to be banned in order for the democratic process to succeed. However, he realises this would clash with the 'emotional religious zeal' and this will require laying cultural foundations which will take decades. Even a *fatwa* that has a positive impact on the democratic process 'will have a negative effect when it becomes an absolute criterion that is not subject to discussion, criticism, refutation and disagreement' as the latter four criteria are important in a democratic system' he contends.

This view of Mr Shakarchi maybe too extreme, since a fatwa in favour of democracy from an influential religious leader such as Sistani, would be very effective in pushing the democratic process forward. As Faleh Abdul-Jabbar indicated, if it were not for

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[663]   Appendix-1, p49/50
[664]   Ibid
[665]   Appendix-1, p51

the moderating force of Sistani, Islamist parties would have written a more extreme constitution in 2005.

Shakarchi regards a secular party as 'fairer and more democratic than a religious one', although he stipulates it must be democratic. 'The secularism we call for can only be realized when it is associated with democracy'.[666] This is in line with Hani Fahs's opinion that there is no true secularism unless it is associated with democracy. A secular political system would protect the non-religious from the repression of radical Islamists. Shakarchi calls for banning parties established on religious or sectarian basis. 'They are the antithesis of the principle of citizenship which is a basic pillar for the democratic system' he declares.[667]

He summarises Iraq's problems into two: political Islam and political sectarianism and insists democracy must be based on secularism and this means the non-interference of clerics in politics. He even calls for a law to ban politicians from discharging the tasks of a clergyman. 'If clerics want to work in politics, they should drop the religious cloth and refrain from any activity that is usually practiced by clerics. If a politician wants to be a cleric, then he should quit politics'. Shakarchi himself was a man of the cloth when he entered parliament in 2005. He gave up wearing the cloth after he engaged in active politics. He is categorical about the influence of religious dress on ordinary religious individuals, although he concedes many people have changed their views about clerics and do not revere them as they did eleven years ago.

'Secularism defends the freedom of the atheists as much as it defends the freedom of the religious and the freedom of religiosity' he declares. He calls for a social campaign to educate the public that 'secularism is more suitable for the country and religion itself'. He also identifies 'hypocrisy' as a social problem and he believes Islamists practice it more because 'they try to portray themselves as democrats when they are not'. He maintains that Islamists 'rode democracy when they saw there is no other way to achieve their dreams of establishing an Islamic state'.[668]

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[666]   Ibid, p52
[667]   Ibid, p54
[668]   Ibid, p56

Shakarchi asserts that the politicisation of religion and political sectarianism have indeed contributed to bringing unqualified officials 'who concealed their lack of knowledge and experience behind religious rhetoric'. He charges that not only are they unqualified, but also lack integrity. 'Corruption was strengthened through hiding behind religious and sectarian slogans'. He blames 'Islamist and sectarian parties and unqualified politicians' for the failure of the democratic transition.

Shakarchi now affirms 'foisting religion into politics, or even into public affairs, to any degree, represents an impediment to the process of democratic transition'. He insists this is mostly the case in a 'society where religion plays an influential role in it, and has not gone through a democratic experiment before'.

Islamist politician Dr Adil Abdur-Raheem asserts that establishing a democratic system that depends on 'proper democratic mechanisms and respects the cultural values of the people' won't have a problem with religious values. He admits problems with such a system may arise with religious groups for political motives. We notice the use of 'democratic mechanisms' again by another Islamist.[669] It shows Islamists only believe in 'democratic mechanisms' which are also used in Iran where candidates are vetted before they stand for election and they must believe in the principle of 'Islamic Jurisprudence' and be loyal to the Islamic Republic regime.[670]

Abdur-Raheem agues the effect of a *fatwa* depends on the (stature of) the issuing authority and the number of followers, with the existence of a space that is not affected by *fatwa*. There are people who don't follow *fatwas*, but those who follow religious guidance are not so few in Iraq. Some religious leaders are more influential than others and, consequently, their *fatwa/*guidance are followed by more people, but, in principle, a politically motivated religious *fatwa*/opinion, does compel the devout, no matter how few, to vote in a certain way instead of voting according to their conscience, without the interference of mentors. Any such fatwa will influence

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[669]   Ibid, p64/69

[670]   Michael J. Totten-*No, Iran is not a democracy*-World Affairs Journal-16/2/2006: http://www.worldaffairsjournal.org/blog/michael-j-totten/no-iran-not-democracy
Also: Colin Freeman-*Iran's 'democratic elections' only missing one thing-choice'* -Daily Telegraph-8/6/2013: https://goo.gl/igDcj6

election results.

Abdur-Raheem states that religious and secular parties 'share a common culture; that is the culture of monopoly of power, exclusion, and marginalization (of rivals)'. He asserts this phenomenon is prevalent and 'Iraqi political activism has been suffering from it for decades'. Iraqis have a common culture, but what differentiates secular parties from religious ones is the former uses political means and economic programmes to attract voters, while religious parties rely on religious and sectarian rhetoric to rally their supporters and immune themselves from criticism.

Abdur-Raheem asserts that democracy should give 'equal opportunities for all' arguing that religious parties may also be 'interested in the economic side of politics while secular parties could turn to sectarian rhetoric'. The latter point highlights the danger of sectarian discourse in politics, not forgetting that religious parties are political parties that use religion to further their aims.

Abdur-Raheem agrees that wearing religious cloth 'enables candidates to gain votes' but he regards this benefit limited 'due to the existence of sections of society that are not influenced by the religious discourse'. But many individuals would not have made it to parliament or government without the religious connection because of their political incompetence and he acknowledged this. Some have been serving in parliament for the last ten years, with no contribution.

Ali Allawi points to religious impediments, such as arguments that 'Islamic political authority cannot be based on simply the views and positions of a political majority'. He contends that political choices 'must necessarily be constrained by religious injunctions that are above and supersede the will of a majority'. [671]

Strikingly, he does not regard a *fatwa* as an impediment to the democratic process. On the contrary, he finds the position of the religious authority as 'consolidating' to democracy. He invokes the position of the Catholic Church in post-war Europe which consolidated 'the democratic process in the face of a communist alternative'.

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[671]   Appendix-1, p67

But is the example of the Catholic Church in Europe relevant to Iraq and the role of religion in Iraqi politics? Christianity is different from Islam and many Muslims believe Prophet Muhammed was a ruler and they want to emulate him. That was not the case with Christ. Many Muslim scholars do not give people the right to legislate for themselves since 'this is the role of God and all matters are laid down in the Holy Scripture; the Qura'an', and this was alluded to by Mr Allawi himself. Also, the role of the Church that Allawi is talking about came after the Church was stripped of its political power.

Allawi, a practicing Muslim, believes that a secular party is 'better placed to be fairer and more democratic' than a religious one, 'unless it turns secularism into another religion, as had happened in Turkey and Tunisia'. This practically means that applying any idea religiously in politics impedes democracy, even if it's secularism.

Allawi agrees that 'wearing the religious garb' is useful politically today. But he remembers 'thirty years ago, it was ridiculed and those wearing it were not only powerless but were considered reactionary outcasts'. So, the current power of religion may not last long or remain as potent.

Democracy requires the absence of any compulsion in politics, while using religion involves compelling believers to vote in a certain way even if it means they are voting against their interests. Allawi admits that the religious discourse does help politicians get votes but 'Iraqis are prone to radical shifts and there might be a mass migration away from the use of religious rhetoric and symbols'.[672] In principle, Allawi argues that 'only good can emerge from a politics rooted in ethics, which includes ethics based on the idea of religious virtues and values'. Allawi, however, concedes that the political class is 'unprincipled' and uses 'the politics of fear, marginalisation and anxieties of dispossession' in order to 'push people into primary identities that are antithetical to the politics of enhancing the public interest'.

Former Islamist minister and MP, Sharwan Al-Waeli, now believes that there should be a separation between politics and religion. Harm comes out of mixing religion and politics. There was a terrible exploitation of religion in politics, as it was used for the

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[672]   Ibid, p68

promotion and marketing of parties and persons'. [673]

He points out that politicians have used religion to 'market themselves' and he particularly blames those who 'belong to political Islam'. He vindicates the position of the religious authority. 'Unlike the political parties, the *marja3iyyah* was the only party that kept its distance from benefitting from religion and acted as the sponsor of the national project'.

He justifies the position of the religious authority in allowing its representatives to stand in the first elections and says this was to 'save a project and not for personal gains'. But he acknowledges 'there are those who claimed, in whispering tones or insinuation, to enjoy its support, or spoke out on its behalf, but it did not interfere'.[674] Al-Waeli distinguishes between the main religious authority of Ayatullah Sistani and other religious leaders who may have different positions in support of other parties or lists.

He warns 'religious and sectarian loyalty is harmful to the democratic process', and reveals 'religious parties have exploited people's religious and sectarian emotions'. But he is not sure if secular parties are fairer than religious ones 'because we have not tried their rule so far'. But if only harms can come out of mixing religion and politics as he pointed earlier, then it must be less harmful if secular parties came to power.

Mr Al-Wa'eli expects secular parties to have a better chance in the future because 'religious parties began to field secular and religiously non-practicing personalities among their candidates'. Also, 'they began to talk about the 'civic state'. They have been trying to market their traditional personalities in order to get votes this way. Religious parties resorted to talking about the civic state because they have failed'. He reads this as a 'change' in Iraqi society away from religious parties.

He charges that big blocs 'came to prominence because of their sectarian and

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[673]   Ibid, p70
[674]   Ibid, p71

religious rhetoric', which he believes to have been 'extreme and focused' in the last elections. 'Those who resorted to sectarian and religious rhetoric got many and incredible votes'. Mr Al-Wa'eli expects that the results of the last elections will convey the following negative message to new members of parliament: 'if you are sectarian and able to collect money (illegally), you will win'. He maintains that 'religiosity is not a condition for integrity or efficiency'. He emphasises the need to get capable people who could benefit society, 'not those who pray and fast in front of people'.[675]

He acknowledges that the political process brought non-qualified people 'either because they belong to a religious family or a religious party or they have a relation with this or that individual'. He reveals that 13 people from the Shia Endowment Office became members of the National Assembly in 2005 'because of their contacts'.[676]

Intrinsic Failure

Maysoon Aldmaluji doesn't rule out a role for Islam. 'A moderate version of Islam could live peacefully alongside a democratic system'. But she has her stipulations for this type of Islam. 'It does not take an active part in everyday politics, yet monitors the overall process and takes part in forming public opinion'.[677] She identifies the values of democracy as follows: 'human rights, women's rights, minority rights, freedom of speech, freedom of conscience and religion'. She contends that democracy is indivisible and cannot be divided into Islamic and western.

She argues that Islamist parties 'identify themselves with ancient historic events. They use the Qura'an as their reference in legislative, executive and judicial matters. They do not recognize any example outside this framework'. She admits, however, while secularists 'identify themselves with national symbols, and use international declarations, agreements and protocols as their references, Islamist parties' symbolism is easily identified with the populace'.[678]

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[675]   Ibid, p73
[676]   Ibid, pp74
[677]   Ibid, p77
[678]   Ibid

'They have the advantage of Western and regional support. I am totally convinced that the Bush administration gave weight to Islamist parties in forming the Governing Council'. Like Hussein Al-Hindawi, Aldamluji believes the Americans abided by the Shia religious leadership's views in drafting the constitution'. She charges the timing of the first elections was set to suit Islamist parties.

She accuses Islamist parties of 'inability to deliver the justice they promised'. Like Ayad Allawi, she believes failure of Islamist parties is intrinsic. Iraq is a 'complicated state with a complicated social system' she argues and 'Islamist parties did not set out to build a democratic state'. This view conforms to their tendency to reject democracy and only accept its mechanisms. Aldamluji doesn't see any need for religious parties accusing them of causing sectarian conflicts and failing to run the state. 'They claim to speak on behalf of God according to their interpretation of the Qura'an'.[679]

She is adamant that democracy cannot exist under religious or totalitarian parties, even if they were secular. 'Democracy...is a set of modern values that recognize the freedom of individuals and rights of groups (women, children, elderly, etc.). I do not believe that democracy can be identified as Islamic or Western'.

Aldamluji argues that Islamist parties have impeded democracy on more than one level: 'they stick to Islamic doctrine on personal affairs, allowing children to marry at the age of 9 or less, they discriminate against women in inheritance and allow women to be beaten by their spouses and siblings as a measure of discipline. A woman's testimony is not allowed in a court of law. They encourage sectarianism and permit religious discrimination against non-Muslims'. [680]

Former IHEC's Spokesman, Dr Fareed Ayar reveals that '4 million Shia went to the polls to elect Shia representatives without any real electoral programmes nor any guarantee from those they would elect for freedom of speech afterwards'. Other communities were equally guilty of voting based on sub-national ethnic or sectarian affiliations. 'Two million Kurds voted on an ethnic basis', Ayar goes on to say. 'Two

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[679]   Ibid, p78
[680]   Ibid

million Sunnis and Christians and others also voted on the same bases'. [681] He contends that those elections were not conducted properly because 'the level of awareness of the Iraqi people was not up to the standard of realising the meaning of democracy'. John Stuart Mill describes this humorously. 'He who lets the world, or his portion of it, choose his plan of life for him, has no need of any other faculty than the ape-like one of imitation'. [682]

Ayar invokes the voting patterns in established democracies. 'In a proper democracy, voting must be on the basis of the political projects and programmes presented by the candidates, parties or political groupings'. This did not happen in Iraq. He regards voting on the basis of sect, religion or ethnicity as 'based on compulsion not freedom'. He gives examples. 'A Shia cleric can order a thousand Shia voters to vote for one candidate who is not known to them. This is voting not electing and there is a difference between the two' he declares. He firmly believes this is an impediment to democracy.

In Ayar's view, the formation of the first government was not democratic because 'those who were elected were not afraid of the electorate withdrawing their support from them since they voted for them because they were Shia, and, as long as they remain Shia, they will vote for them again'. He describes the current democracy in Iraq as 'fragile' and this is because it's 'based on ethnic, religious and sectarian bigotry'.

He affirms secular parties 'serve democracy more than religious parties which do not believe in democracy to begin with and regard it as a 'despicable satanic act'', quoting some 'prominent' Islamic writers.

Regarding religious symbols, Ayar reveals: 'We (IHEC) had banned the use of religious symbols but religious parties managed to manipulate the ban in a very strange way', Ayar explains. 'They were printing many publications bearing the pictures of religious leaders, sheikhs and *sayyids*, and when we would hold them to account, they would deny having done so and attribute it to their supporters'.

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[681]   Ibid, p79

[682]   Mill-(2002)-op.cit.p49

Ayar calls for the banning of parties established on the basis of religion and he believes this doesn't breach the principles of democracy. 'If we allow them to work, the voter would be under the influence of the clergy and this restricts his freedom. In fact, his freedom would be non-existent because of his connection to religion'.[683]

He affirms that the religious discourse encourages the making of false claims, hypocrisy, and opportunism. He reveals many people became MPs and officials as a result of using a religious discourse while they were Marxists in the past. 'The road to power is now through opportunism and the use of religion', he laments.

It might be argued that opportunism is always associated with politics and business in all countries. But the danger for democracy might be the exploitation of religion for political purposes and the effects this has on the country as a whole. Ayar warns of this phenomenon in a very serious way. 'This double (deceitful) fanatic religious, sectarian discourse has created the bigotry and backwardness in all dimensions of life that is currently happening in Iraq'.

He blames the same religious discourse for bringing unqualified persons to parliament, government and leadership in the country. 'This is the reason why the country has reached this decadent stage on all levels', he explains.

Dr Akeel Abbas agrees that there are religious impediments hindering the establishment of a fully democratic system. He observes that clergymen, clerical institutions, and Islamist parties look suspiciously at democracy, considering it a 'Western invention that has no basis in Islamic teachings'.[684] He maintains that the lack of evidence from the Qura'an or Islamic thought to support the establishment of democracy poses a dilemma even for those pro-democracy, enlightened clergymen and Islamists.

Religious *fatwa*, real or imagined, undermines the very notion of elections 'as one's voting his/her own conscience' Abbas avers. He adds: 'It becomes rather voting the clergyman's conscience by thousands or millions of his followers'. There are other negative aspects to this phenomenon. 'It stops individual voters from developing the

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[683]   Appendix -1, p82
[684]   Appendix-1, p86

necessary skills to examine the electoral platforms of the different candidates'. Voters can become enlightened and educated through the process of 'examining and comparing different platforms and making a personal voting decision based on it'. According to Abbas, this enables people to think independently, not as followers who vote based on voting decisions made by their religious leaders.

He agrees that religious clothing and rhetoric bring electoral benefits. Because 'religion is the dominant way of thinking in Iraq currently, many voters attach special value to politicians' acts, displaying signs of religious loyalty or affiliation'.A secular party, Abbas contends, is better placed to be 'fairer and more democratic' than a religious party. This is because 'a religious party, particularly in Iraq, is tied to pre-modern loyalty and understanding of human affairs, instead of the modern interests of the voting public'. There is another issue which Dr Abbass points to in this regard. 'A genuinely secular party has the potential to appeal to the interests of Iraqis, regardless of ethnicity and faith, whereas religious parties inherently appeal to the interests of particular groups'.[685]

Dr Abbas calls for an electoral system that includes only secular parties because 'it's definitely better for the country'. He sees benefits in this for the consolidation of a trans-communal national identity. 'Without secular parties that transcend sects and ethnicities, Iraq will continue to be prey to sectarian and ethnic strife'.

Abbas also draws an important comparison between the religious and non-religious parties. 'Because religious rhetoric helps politicians get more votes, this encourages the non-religious to pretend to be religious in order to get more votes, even though they are not religious in actual life. Common voting appeals and patterns are religious in nature, something that leaves non-religious parties at a clear disadvantage. These parties sometimes find themselves "forced" to adopt religious gestures and rhetoric which, in turn, gives the entire political and electoral process a religious character that is not genuine or truly representative'.[686] This can only create double standards which he believes will 'promote a false spirit of political religiosity

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[685]   Ibid, p87
[686]   Ibid, p87

that will deepen sectarian identities and undermine Iraq's national identity'.

The use of religious and sectarian slogans has negative effects for the country and the democratic process in general because 'they have definitely helped bring unqualified officials who may have hidden their inabilities behind their religious rhetoric', Dr Abbas warns. He also provides the evidence. 'It is very clear from the abysmally poor performance of the state machinery, particularly in its upper echelons and decision-making bodies'. He reckons that this is because 'a large portion of the general public tends to evaluate public officials based on their religious ethics, not on professional competence'.

Democratizations in Iraq has partially, not fully, failed; according to Dr Abbas. Elections 'as a periodical mechanism to renew or rescind the trust in the sitting government has been somewhat deeply established in Iraq over the past 11 years'. But 'the entire election process is unfairly skewed in the interest of religious parties', he adds. [687]

Dr Kamal Field expects the influence of religious leaderships and others to remain strong until a breakthrough occurs in the level of education and general knowledge of the people'. [688] But the reverse is happening. Religious education has been enhanced many folds with so many religious schools and universities opening across Iraq under Islamists.[689] Field argues that democracy 'didn't come as a result of mass desire'. 'It's actually like a plant that was growing in a hostile environment'. But Iraqis rebelled in 1991 seeking freedom and hoping for a democratic system, but they were brutally suppressed.[690] Democracy maybe growing in a hostile environment, but this because religious parties are educating people it's anti-Islamic.

Field rejects the classification of parties as 'secular and religious'. Instead, he classifies them as 'believing in good governance or not believing in good governance'. 'The best party will be the one which believes in the principles of good governance', he declares.[691] He agrees that wearing a religious cloth has an

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[687]   Ibid, p88
[688]   Ibid, p90
[689]   Adnan Abuzeed-Al-Monitor-27/1/2015-(Op.cit.)
[690]   Hamid Alkifaey-*Routledge Handbook of the Arab Spring*-Routledge-London-2015.
[691]   Appendix-1, p91

influence on 'simple people', but he, like Ali Allawi, contends that this is a short-term phenomenon.

He agrees that 'religious rhetoric helps politicians get more votes', and adds 'it encourages the non-religious to jump on the religious bandwagon in order to get more votes', but he affirms this is not peculiar to Iraq.

Voting on Religious Basis

Dr Field agrees that people in Iraq have voted according to their religious and sectarian affiliations. This is 'because they do not trust or know any alternative'. He also agrees with the notion that 'using religious and sectarian slogans has helped to bring to power unqualified officials who may have hidden their inabilities behind their religious rhetoric'.

Dr Abdulkhaliq Hussein agrees that a *fatwa*, even if it was false, impedes the democratic process. 'I believe religion and politics should not be mixed'.[692] He invokes the European experience in which the political problems were not solved until 'they had separated religion from politics'. He believes that Iraqi religious leaders 'have not issued any *fatwa* in favour of any religious or political group'. Strictly speaking, this is true since no statement under the title '*fatwa*' has been issued by a serious religious leader. But religious leaders and clerics have expressed opinions in favour of UIA.[693] This was acknowledged by Islamist politicians Sami Al-Askari[694] and Sharwan Al-Waeli.[695] People cannot differentiate between a *fatwa* and an opinion since both are opinions originating from senior religious leaders. They regard any such opinion as obligatory direction to be followed.

Hussein admits implicitly that some politicians have given a false impression that their parties are favoured by the religious leader. But he is 'confident' that these politicians 'will fail' and 'their attempts will be counterproductive'. His view has not been borne out in reality. Those politicians and their parties won elections after

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[692]   Ibid, p93
[693]   Appendix-2
[694]   Appendix-1, p19
[695]   Ibid, p71

elections and have become prominent through these false claims.

He affirms 'religion is deeply rooted' in Iraq, and it's advantageous 'if a religious leader can encourage people to cast their votes without bias to any political party'.

Although Dr Hussein supported Islamist PM Noori Al-Maliki, he admits that 'a secular party is better placed to be fairer and more democratic than a religious one'. But he qualifies this. 'Democracy means to use ballots instead of bullets to choose the government. What about if the religious party wins? Are we going to revoke democracy and the results of the ballot boxes and install an unelected secular government?' This would be dictatorship, he reckons. The solution in his opinion is to 're-educate the people about democracy'. He invokes Robert Lowe's 'we must educate our masters'.[696]

He explains that even if religious parties were to be banned, 'religious politicians would establish parties under secular names'. He cites the experience of the Turkish Islamists as a case in point. He concludes it's difficult in a democracy to ban religious parties. The idea is not to ban the political activities of religious people as their involvement in politics is important since they form a large section of the population, but it's to limit the use of religion in politics since modern societies are characterised by pluralism, debate and dissensus and people do not follow one religious or philosophical doctrine.[697] Therefore, religious discourse is divisive and doesn't appeal to all citizens.

With regards to wearing religious cloth, Dr Hussein doesn't believe that they are significant in getting more votes. Hussein brings the case of Ayad Jamaluddeen, who wears religious clothes but still lost in both general the elections of 2010 and 2014. But Jamaluddeen is a 'diehard secular' despite his religious garb. Why should religious voters vote for someone who is openly calling for distancing religion from politics and who is alleged to be non-religious? Jamaluddeen was MP in 2005-2010 and his religious status (and garb) must have played a part in getting him there. He joined a secular list which wanted to have men of the cloth in order to prove it wasn't

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[696]   Ibid, p93

[697]   Rawls-*(1993-1996-2005)*-op.cit.p9, Also p-xvi

anti-religious.

He acknowledges 'only a very small minority voted for a candidate from an opposite sect or religion'. He accepts that 'religious and sectarian slogans have helped to bring unqualified officials' but he argues 'time is the best healer' and 'unqualified officials will be exposed'. [698]

Adnan Al-Janabi regards a *fatwa* in favour of or against any participant in the political process as an impediment to democracy 'since democracy depends largely on the free will of individuals to vote for their preferred party'.[699] Not only does he believe a secular party is 'better placed to be fairer and more democratic than a religious one', he also calls for the banning of religious parties. He agrees that 'wearing religious cloth or using religious rhetoric helps politicians get more votes in a religious society such as the Iraqi one. 'This makes the non-religious pretend to be religious in order to get more votes'. [700]

Al-Janabi expects the double standard, which politicians practice these days, will 'lead to what Iraq is now: a failed state on the verge of civil war'. Al-Janabi observes that people have been voting according to 'their religious and sectarian affiliation' in the previous elections. Religious rhetoric, in his opinion, has helped bring unqualified officials who have hidden their inabilities behind their religious rhetoric. Al-Janabi concludes 'democracy has failed'.

Bassim Anton argues one impediment to establishing a democratic system is using religion to stop the spread of democracy. This is an important point. Not only is religion used to get to power, but also to stop the spread of democracy. Anton argues that a *fatwa* can affect elections and impede democracy especially when there is a large percentage of Iraqis who 'go to the ballot box influenced by emotions not wisdom'.[701] He further argues that religious parties only appeal to people's 'sense of religiosity' and they 'provoke sectarian loyalties' instead of presenting their economic programmes and pledging to their supporters to implement them.

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[698] Appendix-1, p95
[699] Ibid, p99
[700] Appendix-1, p99
[701] Ibid, p101

Anton calls for a law to ban religious parties from standing in elections in order to 'prevent the exploitation of the emotions of simple people and the manipulation of religions for electoral purposes'. He has evidence that wearing religious cloths or using religious rhetoric 'helps politicians to get more votes' and this is manifested in pushing some secular politicians to join religious lists to win elections and 'it worked for them'.

This use of religious and sectarian slogans, according to Anton, 'has helped to bring unqualified and inefficient officials who were able to hide their professional deficiencies behind the religious rhetoric and the proof is 'parliament's failure to produce economic laws'. He lists a few impediments which contributed to the (partial) failure of the democratic transition. Among them are the dominance of the religious portfolio (on Iraqi politics) and the (undue) strength of the religious parties.

Shorouq Al-Abayachi contends there are many religious impediments to democracy which have been 'accumulating over the long decades of modern Iraqi history without any serious remedies by any social, political or cultural institution'.[702] She regards a '*fatwa* in favour of one candidate or against another an impediment to democracy, even if it was imagined and not true'. She states she has experienced it directly during past elections. 'The religious emotions of people were exploited for the benefit of parties and individuals who worked for their personal, party or sectarian interests without the real enforcement of democratic practices and without serving the interests of the people who elected them'. She is alarmed that these people were elected once again despite all their shortcomings.

Al-Abayachi regards a secular party 'more just than the religious one' because secular parties believe in the principle of citizenship and the separation of religion and state 'in a way to guarantee the non-exploitation of religious emotions for sectarian and ethnic purposes'. The logical upshot of this view is to call for a secular political system based on the separation of religion and state that guarantees the application of the principles of equality and justice for all citizens regardless of their sub-identities. This, in her opinion, is required 'due to the pluralistic nature of Iraqi

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[702] Ibid, 104

society'.

She agrees that wearing religious cloth and using a religious discourse help politicians get more votes 'especially in rural societies where illiteracy, poverty and ignorance are prevalent'. In her estimation, this has fostered 'the practices of religious pretence' because candidates seek to get to high positions or to win additional votes. She says this has sometimes meant indulging in 'agitating sectarian emotions among the Sunni and Shia'. This supports what has been argued by others such as Dia Shakarchi, that Islamist parties are automatically divisive since they are either Sunni or Shia.

Ms Al-Abayachi blames 'political and religious hypocrisy' for the failure in building state institutions on the basis of the right criteria of propriety and competence. This hypocrisy has also 'entrenched ignorance and retarded concepts' in Iraqi society. She observes that 'incompetent and unqualified officials' prevail in most Iraqi governmental institutions and this is a result of the use of sectarian and religious slogans. 'The political manipulation of religion and sectarianism is also another problem which impedes democracy. This has 'enhanced warlords and militarism instead of civility and openness'. The proliferation of religion-based militias and armed groups supports this view. Wahda Al-Jumaili expresses hope that 'a civil state that believes in human beings before loyalty to religion or sect' can be built, although she thinks this is premature in Iraq 'where religious parties have climbed to power on the back of religious feelings of Iraqis'.

She argues that fatwas have been instrumental in the last ten years and they have changed the direction of elections, but acknowledges the religious authority has now distanced itself from politics. She laments religious parties for climbing to power on the back of religious feelings of ordinary people. She reckons the benefit of using religious discourse or wearing religious cloth is decreasing after 'the exposure of the falsehood of those who claim to be religious'.

This view can only be ascertained in future elections. How wide-spread is this 'exposure of falsehood'? Are the electorates now really immune from religious

influences during elections? There is disillusionment among many people and this can be seen in the social media and continuous protests and demonstrations in Iraqi cities over government failures, but it's not clear whether this will be translated into votes.

Politics based on religion is a serious impediment to democracy. This is because religious discourse is divisive since not all people affirm to one religious or philosophical doctrine. Religion belongs to the sphere of holy texts that do not accept any debate, while democracy is based on pluralism, debate and cohabitation between different peoples. Democracy is the zeitgeist in most of the world with no major contestant as a political system (with the exception of the reinvigorated fundamentalism in the Islamic cultural community).[703] As we have seen above, the evidence is overwhelming that democracy can only exist and consolidate under a pluralistic secular system that allows people to live together in dignity, with no compulsion to do what they do not wish to or believe in.

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[703] Linz& Stepan-(1996)-op.cit.p75

Chapter 8
Sectarianism

Prologue

One of the problems that hurt Iraq as a state, let alone the current process of democratization, is sectarianism. It's not a new problem; the British faced it when they were trying to establish the new state back in the 1920s. The Shia opposed the British occupation and fought alongside their former oppressors, the Ottomans, against the British occupiers who were regarded as 'infidels" while the Ottomans were their coreligionists.[704] At the outset of WWI, in November 1914, *Shia* religious leaders (*mujtahid*s) issued *fatwa*s declaring jihad against the British in defence of the Ottoman Empire. Following the war and dismemberment of the Ottoman Empire, the *Shia* of Iraq rose up in an armed rebellion against the British. Sunni scholar Muhammed Al-Aloosi regards the Shia position as 'honourable' and describes the Ottoman Empire's policy as 'extremist in (pursuing) ignorant Sunnism' and as a result the Shia situation was 'no good' due to sectarian directions of state policy'.[705]

Having crushed the mainly Shia 1920 rebellion, the British didn't pay enough attention to the sectarian makeup of Iraq when forming the first government of Abdur-Rahman An-Naqeeb who was not an ordinary Sunni citizen, but a Sunni sect leader. He was the head of the Gailani religious clan, the decedents of Imam Abdul-Qadir Al-Gailani, a revered Sunni Imam and leader of a Sufi order, with a big shrine in Bagdad. His name, *An-Naqeeb,* means *the head*, clearly reveals he is the head of this distinguished religious Sunni family as well as all the *ashraf* (nobles) of Baghdad. His mere presence as the leader of the new government of Iraq, especially when it came immediately after the bitter defeat of the 1920 revolution, gave the mainstream Iraqi Shia the impression that the British were in effect building a Sunni

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[704]   Yatzhak Nakash-'*The Shi'is of Iraq'*-Princeton University Press-(1994)-pp60-61
[705]   Al-Aloosi-(1992)-op.cit.p114

state and were penalising them for their opposition to their rule.[706]

When the first Iraqi government was formed by An-Naqeeb, the Sunnis predominated and held the most important posts.[707] An-Naqeeb was known to have disdain for Shia clerics and for those who participated in the 1920 revolution against the British.[708] He also had a lot of admiration for the English as he told Amin Rihani; the Lebanese writer and poet.[709] 'The English have the knowledge, wealth and wisdom. What do the (Iraqi) nationalists have? Do they love the country more than us, when it's our country before it's theirs? Most of them are still foreigners'.[710]

Due to these critical views of his fellow countrymen, An-Naqeeb's reputation among Iraqis deteriorated considerably, and the British were soon trying to find a replacement leader for all Iraqis. King Feisal, before them was not happy with him and sought to replace him and he was replaced against his wishes, by Abdul-Muhsin As-Sadoon.[711]

Some senior Iraqi politicians of the monarchy era believed the British preferred to deal with the Sunni minority because 'they will always need to rely on a (foreign) power for support, and they were always ready to cooperate with it'.[712] The Sunnis, who had accumulated lots of administrative experience during the Ottoman period, also provided the British with a bureaucratic class capable of running the administrative bodies of the new state.[713]

The Shia, in contrast, were disadvantaged in this regard as they were marginalized

[706]   Al-Uzri-(1991)-op.cit.p349

[707]   Charles Tripp-'*A History of Iraq*'-Cambridge University Press-(2000)-p45

[708]   Ali Al-Wardi-'*Glimpses of Iraq Recent History*'-*(Arabic)-Islamic Publishing House-(2005)*-vol-6,p24. Also Amin Al-Rihani-'Kings of Arabia' (Arabic)-(Al-Rihani Printing House, Beirut-(1959)-p397-98)

[709]   Nijmeh Salim Hajjar-'Political and Social Thoughts of Amin Rihani'-Tauris Academic Studies-(2010)-London.

[710]   Al-Rihani-(1951)-op.cit.pp397-398

[711]   Al-Wardi-(2005)-vol.6-pp204-207

[712]   Abul-Kareem Al-Uzri-(1991)-op.cit.p350

[713]   Kamil Al-Chaderchi-'*From the Papers of Kamil Al-Chadirchi*'-Beirut, Al-Talee'ah Printing& Publishing-(1971)-p80. Also, see Al-Uzri-'*History of Iraq in Memoirs*'-[1930-1958]-1st Edition, Beirut: no publisher-(1982).

under the Ottomans, who distrusted them and practiced systematic discrimination against them in many ways, while Sunnis were selected for virtually all administrative posts in the governorates which would be merged to become Iraq following WWI, namely Basra, Baghdad and Mosul. By appointing An-Naqeeb cabinet, which had some Shia ministers, the British followed in the Ottomans' footsteps, although there was a difference in the sense that the Shia rose against the British, not the Ottomans.[714]

The British followed this by bringing a non-Iraqi Sunni king, Feisal, the son of Hussein bin Ali, the Hashemite Sharif of Mecca and leader of the anti-Ottoman Arab Revolt (1916-1918), to rule Iraq whose population is at least half Shia.[715] Some Shia notables, including those hosted by Sharif Hussein in Mecca, such as Noor Al-Yassiri, welcomed the selection of the Sharif's son as king of Iraq.[716] They joined Sunni community leaders in sending letters to Sharif Hussein requesting that one of his sons become the king of Iraq.[717]

Sunni Dominance

After the installation of the monarchy on August 23rd 1921, the ruling class in Iraq in the following years was dominated by Sunnis. Most governments were led by Sunni politicians, the most prominent of whom was long-serving PM Noori As-Saeed.[718]

The Shia felt disenfranchised and thus there were calls among Shia clerics to boycott the government and its institutions. The Shia clerics who made these calls were distrustful of taking part in government not only because of the disenfranchisement of their community but also because of traditional theological Shia arguments which reject the legitimacy of any government not headed by one of

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[714]   Al-Uzri-(1991)-op.cit.pp347-348

[715]   A British population census conducted in 1919 put the Shia population at 55%: Abdallah Fahad Al-Nafisi, *The Role of the Shia in the Political Development of Modern Iraq* (1973), Al-Nahar Publishing, Beirut-p167

[716]   Al-Wardi-(2005)-op.cit.volume-5-part-2-p189

[717]   For more on Faisal, see Ali Allawi, *Faisal I of Iraq-(2014)-Yale University Press*.

[718]   Khalil Osman-'*Sectarianism in Iraq: The Making of State and Nation since 1920*'-Routledge-(2014)-p117-28

the twelve imams of Shiaism, whom the Shia believe to be infallible.[719] Their non-participation has other reasons in the view of Abdul-Kareem Al-Uzri, a minister of finance in the monarchy era.

Al-Uzri contends that 'the British were unable to reach agreement with Shia political leaders, first among whom were the religious scholars, whose position was intransigent and uncompromising, insisting on complete independence'.[720] He acknowledges that the British had one option left available to them in the face of Shia intransigence which was to deal with the group that was willing to cooperate and reach a political settlement with them and that was the Ottoman Sunni officers and civil servants who worked in the former Ottoman administration.[721]

There was a feeling of discrimination among the Shia population throughout the period between 1921 and 2003, except perhaps during the rule of Brigadier Abdul-Karim Qassim (1958-1963), who sympathised with the poor, of whom the majority were *Shia*. This has created friction and distrust between the two main sects in the country. Any move towards establishing a strong political system by any politician was viewed with suspicion by the Shia.

Khalil Osman shares Al-Uzri's view on the Shia intransigence. "Political marginalization under the monarchy accentuated the sense of collective identity among the Shi'ites who tried to renegotiate their inclusion in the national polity. But the rigidity of the political system restricted the possibility of accommodating their demands".[722]

General Qassim gained the trust of the Shia because he had balanced views regarding Shia-Sunni differences. He was of mixed parentage; Sunni father and Shia

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[719]   Joseph Eliash, 'Misconceptions Regarding the Juridical Status of the Iranian 'Ulamā'', *International journal of Middle East studies-volume:*10-issue:1-(1979)-p9-25.

[720]   Al-Uzri-(1991)-*op.cit.*p349

[721]   Ibid.p348-52

[722]   Osman-(2014)-op.cit.p92

mother.[723] Qassim was seen as 'fair' by the Shia public and even his political opponents, such as Hassan Al-Alawi, later admitted that Qassim was patriotic and fair and he expressed regret for opposing him.[724] Qassim attempted to redress the grievances of the masses of impoverished Shia peasants through a land reform program which sought to take agricultural land from the feudal lords, including Shia tribal chiefs, and distribute it among the poor Shia farmers in the south.[725]

Most of the major landowners were Shia (23 Shia-14 Sunni-9 Kurds).[726] Qassim also introduced laws that were seen to be fair and built cities for the poor, the most noteworthy of which is what is now called *Sadr City*, formerly known as *Revolution City*, the name Qassim had given to the populous district of Baghdad.[727]

However, Sunni Arab nationalists, by and large, didn't like Qassim because his policies were designed to empower the poor which were mainly in the Shia south. The Sunnis were mostly inclined towards, and sympathetic with, Arab nationalism. This was at odds with Qassim's Iraqist streak which was promoted by the Iraqi Communist Party, which was very popular among the Shia youth.[728] But Arab nationalism was regarded by some experts on Iraq as internally divisive and externally irredentist and destablising force in Iraq.[729]

Since the army was dominated by disgruntled Sunni officers, Qassim constantly faced coup attempts, mutinies and assassination attempts till he was toppled at the hands of Arab nationalist army officers (mainly Sunnis) led by his erstwhile revolutionary partner, Colonel Abdu-Salam Arif, helped by BP led by Colonel Ahmed

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[723] Hassan Al-Alawi-'*Abdul-Kareem Qassim, a Vision after the Twenty*'-Azzawraa Publishing House-London-(1983)-p13-14

[724] Ibid. The entire book is dedicated to the life of Abdul-Karim Qassim, his fairness and balanced views.

[725] Ronny E Gabbay, 'Communism and Agrarian Reform in Iraq', Taylor & Francis, (1978)-pp108–51.

[726] Hanna Batatu-'*The Old Social Classes and the Revolutionary Movements of Iraq*'-(2004)-Al-Saqi Books (Arabic)-London-p87

[727] Baghdad government puts the population of Sadr City at 2,995,750, Almada Press,-'*Convert Al-Sadr City to a Governorat*e'-(Baghdad-2014). IRIN says the population is 2.5 million in 2008.

[728] On the Iraqist-Arab nationalist rift in the Iraqi intellectual circles, see Eric Davis, *Memories of State: Politics, History, and Collective Identity in Modern Iraq (University of California Press-2005)*-p55-81

[729] Abbas Kelidar, [ed. Eisenstadt and Mathewson -(2003)]-op.cit.p36

Hassan Al-Bakir, among others.[730] Arif became president and Al-Bakir Prime Minister. Qassim was summarily executed with a number of his colleagues at the Baghdad radio station on 9th February 1963.[731] Fifty years on, Qassim is still popular in Iraq, especially among the poor Shia. They celebrate the 14th of July coup, and remember his execution on 9th February.

Discrimination under Ba'ath

Arif had soon betrayed his divided Ba'athist allies and turned against them, forcing them out of power in November 1963, after 9 months of fragile partnership. But he didn't stay for long as he was killed three years later in a mysterious plane crash in the south of Iraq. His brother, Abdu-Rahman Arif took over as president. The latter was weak, and this led to his dismissal in a coup led by the Ba'athists on 17th July 1968. Ahmed Hassan Al-Bakir and Saddam Hussein, both Sunnis and relatives from *Tikrit*, dominated the scene. It was clear from the outset, as Charles Tripp states, that the new regime was dominated by the clan of Sunni army officers, not too dissimilar to those who had governed Iraq a decade ago.[732] After 11 years in power, Al-Bakir resigned in July 1979 to be succeeded by Saddam Hussein.[733] Saddam ruled with an iron fist for 24 years until he was toppled by an American military invasion on 9th of April 2003.

During these years, the government was dominated by Sunni Arabs.[734] While some Shia did participate in the Ba'ath government, they were not trusted by the establishment, especially after the Iranian revolution of 1979 which overtly opposed the Saddam regime accusing it of sectarianism. More and more Shia were imprisoned, executed and fled the country escaping a new wave of repression and

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[730]   Uriel Dann-'*Iraq under Qassem: A Political History, 1958-1963'*-Praeger New York, (1969); and Hanna Batatu *'The Old Social Classes and the Revolutionary Movements of Iraq: A Study of Iraq's Old Landed and Commercial Classes and of Its Communists, Ba'athists and Free Officers'*-(1978)-pp764-1026.

[731]   Ali Kareem Saeed, *The Iraq of 8th February: From the Dialogue of Concepts to the Dialogue of Blood,* (1999), Alkunooz Printing House-Beirut-p104-6.

[732]   Tripp-(2007)-op.cit.p194

[733]   Talib Hussein Ash-Shibeeb, a leading Ba'athist and former Iraqi foreign minister, believed that Al-Bakir was removed from power and later poisoned by Saddam Hussein. (Ali Kareem Saeed-(1999)-op.cit.p391). Tahir Tawfiq Al-Ani revealed (in an interview with Russia Today published on 24&25/7/2016-op.cit.) that Saddam Hussein was behind Al-Bakir's resignation: https://goo.gl/pyoFqT

[734]   Osman-*(2014)-op.cit*-Chapter-3

crackdown. Many Shia religious leaders were executed under the pretext of alleged Iranian loyalties.[735] Underground Shia organizations, which looked up to the Iranian revolution as a role model in facing up to their repressive government, took up arms as the regime escalated its repression against Shia activists and religious leaders.

Shia Islamist activists engaged in bomb attacks and assassination attempts against senior BP officials. There were also calls by leaders in the Iranian revolutionary regime on the Iraqis to rise up and topple BP rule. This only led to more brutal and repressive measures by the regime. Through the use of excessive and brutal force, the Ba'ath government managed to crush the Shia Islamist threat but at a very high price in lives.[736]

Many Shia felt discriminated against by the Sunni-dominated government, although the regime was secular, but it was regarded as Sunni based on the family background of its influential leaders. Saddam's violent reaction to those who hold different views to his made it difficult for him to build any bridges with Iraqis in general. Although BP had many Shia among its membership, some in senior levels, those who had real power were Sunnis close to the two Sunni presidents, Al-Bakir and Saddam Hussein, who came from the same village and were close relatives![737]

The important ministry of defence was almost always occupied by a Sunni minister from *Tikrit* (It was first occupied by Hardan At-Tikriti, then Hammad Shihab, then Saddam's cousin and brother-in-law, Adnan Khairulla Tilfah, then Saddam's cousin Ali Hassan Al-Majeed). There was hardly any Shia member in the Revolutionary Command Council, the highest authority in the land, between 1968-2003, and even when the number was increased to include non-Sunnis, it was reduced again to five members in 1977, all of whom were Sunnis.[738] The five members were Ahmed Hassan Al-Bakir, Saddam Hussein, Sa'adoon Ghaidan, Izzat Ad-Doori, and Taha Al-

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[735]   Adil Ra'uf-'*Islamic Activism in Iraq between the Marja'iyah and Party Affiliation: A Critical Reading of the March of Half a Century-(1950-2000)]*- Damascus: Iraqi Center for Media and Studies-(2000).
[736]   Osman-(2014)-op.cit.p79-82
[737]   Batatu-(1978)-op.cit.p399
[738]   Ibid.p400

Jazrawi.[739]

Many Shia of Iranian and Kurdish origins were regarded as 'foreigners' and they got 'deported' from their own country in the seventies and eighties and their belongings were confiscated under the pretext that they were originally foreigners.[740] On the top of that, their sons were imprisoned or executed.[741]

Shia, in Iraq and across the world, saw this as an act of sectarian cleansing. The friction between the two sects, which was brewing under the surface, came out into the open during the Iraq-Iran war in the eighties. Many Shia soldiers and officers defected to Iran or Syria, whereas many Shia civilians left the country and sought refuge elsewhere. Those who stayed had to prove their loyalty to the regime in many ways, either by joining BP or any of the numerous security apparatuses, and work hard to please the regime through submitting reports, false or true, on their fellow countrymen. Sectarian distrust among the people grew further following the 1991 post-Gulf War uprising.[742]

This episode was characterized by the use of brutal force by the regime to suppress the uprising, which spread to fourteen of Iraq's eighteen provinces, including the shelling of Shia shrines, as well as the use of Shia rhetoric and religious symbols by the rebels, who also engaged in violent activities against those they suspected of belonging to BP or the state's security services.[743] Khalil Osman states, "The rebellion in southern Iraq was marked by a vigorous assertion of Shi'ite identity, featuring overtly Shi'ite religious symbolism and rhetoric... But the passionate and strident assertion of Shi'ite identity vis-à-vis the despotic Ba'athist state gave rise to fears and feelings of exclusion among Sunnis which resulted in their loss of

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[739]   Ibid.footnote-26

[740]   Osman-(2014)-op.cit.pp232-6

[741]   VOA-27/10/2009: http://www.voanews.com/a/a-13-a-2003-05-06-31-an-66851487/375890.html

[742]   Fanar Haddad-'*Sectarianism in Iraq: Antagonistic Visions of Unity*'-Oxford University Press-(2011). And Phoebe Marr-'*The Modern History of Iraq*'-Westview Press-(1985)-p227-32

[743]   Osman-(2014)-*op.cit.*pp83-4; & Kanan Makiya-'*Cruelty and Silence: War, Tyranny, Uprising, and the Arab World*'-W.W. Norton-(1994)-p66

sympathy for the rebellion.[744]

By 2003, the main Shia Islamist parties and other ordinary Shia, secular or Islamist, were determined that no Sunni domination of the government should be allowed once again and were equally determined that they, being the majority in the country, must play an active role in politics and be the ruling class of the country. But the Sunnis were not to give up power easily. They resisted the American occupation which led to their ouster from power and the establishment of a Shia-dominated regime. The Sunni population, especially in the capital, Baghdad, and the provinces of Anbar, Musil, Salahuddeen and Diyala, boycotted the political process, hardly participated in the first elections of January 2005 and heavily rejected the constitution, which was mainly written by Shia and Kurds, helped by the Americans and the British, with some Sunni participation.[745]

The prevalent view among the Shia is that Iraqi Sunnis have never settled and accepted Shia rule. This view is enhanced by the fact that Sunni fighters from other parts of the Arab and Islamic worlds flooded the Sunni provinces of Anbar, Musil, Salahuddeen and Diyala, as well as the capital Baghdad, and began to blow up government offices, street markets, mosques and religious centres, killing tens of thousands of innocent civilians. Although the Sunnis did participate heavily in both the December 2005 and March 2010 elections, Sunni unrest continued unabated, fuelled by continued feelings of marginalization. In fact, the regime change in Iraq in 2003 gave rise to a crisis of identity among Sunnis who found it difficult to cope with their loss of power and influence. Insurgent groups used these feelings of discontent and anger among Sunnis to gain sympathy and recruit fighters.[746]

Sectarian politics, which may have been covertly practiced before 2003, became the order of the day. As American forces left Iraq in December 2011, the provincial council in the Sunni province of *Salahudden* demanded a federal region, and

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[744]   Osman-(2014)-*op.cit.p84*.

[745]   Marr-(*1985*)-*op.cit.*p287-96.

[746]   Ahmed Hashim-'*Insurgency and Counter-Insurgency in Iraq*'-Cornell University Press-(2005)-p60-108

submitted a request to Central government to conduct a plebiscite in the province over federalism. The government declined to carry out the plebiscite saying it will lead the Ba'athists across the country to assemble in the province. PM Al-Maliki refused to instruct the Independent High Electoral Commission (IHEC) to conduct the referendum in violation of Law 13-(2008), which states the government has to refer the request to IHEC within 15 days.

Sunni Displeasure

The former Speaker of Parliament, Usama An-Nujaifi, a Sunni from *Musil* and leader of the main Sunni list '*Muttahidoon*', declared during a visit to the US in 2012 that Sunnis in Iraq were unhappy with the current arrangement and wanted a federal entity. That was the first time he mentioned such a demand based on sectarian grounds. In January 2013 a protest began in the western Sunni province of *Anbar* which lasted solidly for a year, until it was dispersed by the Iraqi army which entered the province to chase outlawed armed groups which took over some parts of the province. The Shia-dominated government of PM Al-Maliki, which grew more distrustful of Sunnis, was reluctant to meet their demands because it felt they were nothing but an attempt to weaken their grip on power and to restore the influence of the Sunnis. Tension between the government and Sunni population reached its height at that time and didn't calm down until Al-Maliki was forced to relinquish power in mid-August 2014. Nujaifi repeated the demand for a Sunni federal entity recently.[747]

It's established that people voted largely on sectarian grounds in all elections held in the post-2003 period. This is clear from the fact that reflected the country's sectarian distribution. Also, many politicians, academics and independent observers acknowledged it. This meant that those candidates with high sectarian rhetoric stood a better chance of being elected. Parliament became dominated by sectarian figures from both sects. Political programmes hardly existed and the main issue became which sect governs the country. If it couldn't, it should at least impede the other from

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[747]   Suadad Al-Salhy-Middle East Eye-20/2/2016: https://goo.gl/VKxs4z

governing.

The main political parties were those that expressed the interests of sectarian and ethnic groups and sought to maximize the shares of their respective communities and party members and supporters in power. In the 2014 parliamentary election, Hanan Al-Fatlawi, a Shia female physician and lawmaker known for her vociferous sectarian views, was re-elected with over 90,000 votes in the Babylon Province.[748] This is a high number of voters, considering that she is a woman. Only 22 female candidates, out of 83, were elected without the help of the gender quota law in the 2014 elections.[749]

Islamist parties sought to aggravate sectarian fear within their communities to guarantee that they maintain a large electoral base of support. Sectarianism has been connected to power politics. It occurred under the influence of multiple struggles over power, resources and socio-political developments, set into motion by the creation of the nation-state.[750]

Sectarianism subverts democracy as Iraqi politics in the last ten years has shown and as Iraqi politicians and academics have pointed out in exclusive interviews. It thwarts the power of the electorate to choose between competing political programs. Within the charged sectarian atmosphere of Iraq, elections became occasions for exacerbating intercommunal tensions, rather than a means through which citizens participate in shaping government and its policies. Voting became an exercise in which community members flex numerical muscles to obstruct the claims to the state's power and other resources made also at the ballot box by other communities.

Under these circumstances, the electorates of various communities have tended to use their voting strength to defend the shares of their respective communities in power rather than to contribute to the process of making policies that address the

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[748] IHEC's election results for the province of Babylon 2014 published online and accessed in June 2014.
[749] Rabih Nader-*Iraqi women make gains in parliamentary elections*-Al-Monitor-12/6/2014: https://goo.gl/CO041u
[750] Osman-(2014)-*op.cit*.p269

interests of all citizens irrespective of their sectarian background. This state of affairs made the peaceful rotation of power, a key mechanism in a democracy, more difficult as evidenced by the political crises surrounding the formation of governments in the post-2003 period.

Nowhere did sectarianism in post-2003 Iraq subvert democracy more than in the distorted version of majority rule that it nurtured. Under Iraqi sectarianism, the democratic principle of majority rule has no longer been a rule by a political majority. It has rather been translated into the rule of sectarian communities. As such, majority rule as a means to decide on public issues based on political programmes that address the interests of the broader citizenry and on the principle of citizenship was lost. Amid the heated competition between large sectarian groups over power resources, feelings of marginalization among minorities were reinforced and heightened. This shook the twin pillars of democratic governance represented by the principles of majority rule and protection of minority rights.

Sectarianism has also undermined the emergence of competent governance. It contravenes basic democratic principles since voters should be free of all pressures to vote for their preferred candidates who should be chosen on the basis of their suitability and their political and economic programmes. If sectarian politics prevails, then people's choices will be limited and those individuals who pursue militant sectarian policies and use radical rhetoric are likely to be elected. Officials elected on their shrill sectarian rhetoric are rarely efficient or competent. This is confirmed by the views of distinguished interviewees.

Holding elected officials accountable in such a system has been highly problematic. Government accountability in the sense that those enjoying executive powers ought to explain their policies to the elected representatives could not be practiced. Former PM Noori Al-Maliki and ministers from his bloc refused to appear before parliament to explain certain policies or policy failures.

At times, anti-corruption measures have become a tool in the hands of the executive

branch to marginalize and score points against political rivals. At other times, efforts to bring corrupt officials to justice for wrongdoings have been aborted by outcries from their communities and political parties claiming that they had been targeted for sectarian reasons. This undermined the rule of law which is a fundamental pillar of democracy. It's defined as "the sovereignty of law over the people and elected officials".[751]

When a country moves from a non-democratic to democratic system, those in power should implement the law and be punished for their wrongdoings. People in a democracy, expect and have the right to have fair rulers not tyrants whose actions are not bound by the law.

Democratization entails the expansion of accountability, the independence of the judiciary, and the public protection of property rights.[752] This expansion can happen when there is rule of law. Rule of law is important for justice, equality, social stability and economic development, which are essential in a successful democracy. When the rule of law expands in a country, democracy gets consolidated. When sectarianism undermines the rule of law, democracy and democratic governance are undermined.

Sectarianism in post-2003 Iraq has made government less responsive to the will of the public. Elected and non-elected officials, who win their public offices based on power sharing arrangements that restrictively allocates posts based on sectarian and partisan affiliation, have been more inclined to respond to the aspirations of their communities rather than the demands that cut across communal lines and benefit the broader citizenry. As such, citizenship built on a foundation of equality of citizens, in rights, dignity and respect, regardless of their sectarian identity, lost its meaningfulness in Iraq.

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[751]   Patrick O'neil-'*Essentials of Comparative Politics'*-W.W. Norton-(2007).
[752]   Matteo Cervellati, Piergiuseppe Fortunato, and Uwe Sunde, 'Democratization and the Rule of Law'-(2009): https://www.wto.org/English/res_e/reser_e/gtdw_e/wkshop10_e/fortunato_e.pdf

Sectarianism has become a source of polarization, prejudice and intolerance which contributed to undermining social peace between Iraqi communities, turning diversity into an arena of inter-communal rivalry and discord rather than serving as an indicator of cultural richness and an opportunity for building networks of inter-communal harmony, dialogue and cooperation.

It has also contributed to the creation of a dysfunctional state and democratic system. Contaminated by sectarianism, the institution of democratic politics in Iraq became a source for political instability rather than a mechanism for channeling societal interests and meaningful citizen participation in the selection of government and determining its policy.

Sectarianism Impedes Democracy

Prominent Iraqi sociologist Faleh Abdul-Jabbar explains that sectarianism impedes democracy in three serious ways:

1-It negates accountability and this has a destructive result.

2-It limits representation since this becomes the right of sectarian politicians to represent the sect they claim to belong to.

3-Sectarian officials deprive those who disagree with them from benefits; using economic tools to force citizens to comply with the diktats of the rulers (the dictatorship of needs).[753]

Abdul-Jabbar regards the Islamic formula for sectarianism a 'monopoly over the sect' since it prevents diversity within the group. It's 'monopoly and prevention' that renders a Shia as 'the one who is politically Shia' and the same goes for others. He regards it as a serious impediment to democracy. 'To Islamists, a Shia is the one who is politically Shia and this impedes democracy in a serious way.[754]

The absence of accountability and monopoly of representation, through the prevention of non-Islamists from representing the sect and depriving them from

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[753]   Ibid, p29
[754]   Ibid, p28

benefits is an economic war or 'dictatorship of needs' as Abdul-Jabbar calls it.[755] This way, democracy becomes a dictatorship.

When there are few work opportunities outside the state, since the rentier state owns the economy, citizens are forced to belong to the ruling party (or parties) and would be inclined to obey the government of the day... This weakens democratic institutions since it limits people's freedom.

Former Iraqi PM, Ayad Allawi, regards sectarianism as one of the reasons for the failure of Iraqi democracy so far.[756] However, he reckons the pluralism of Islamic parties in Iraq doesn't make them sectarian, only if there is one party, it will be sectarian.[757] But this opinion is at odds with realities on the ground according to Khalil Osman.[758] Allawi admits, however, that Islamist parties, which he believes were created as a reaction to foreign interference and domination, have become 'too sectarian, violent and authoritarian' and this contradicts his earlier assertion that the multiplicity of Islamist parties prevents sectarianism.[759]

There is a multiplicity of Islamist parties in Iraq (IDP-IFP-IIP-SIIC-ST-RT-IDM among others), yet sectarianism has intensified, perhaps because sectarian parties compete among themselves in their sectarian discourse. Islamist parties can unite on certain issues as they did in 2005 to oust Allawi from the premiership and in 2010 when they backed Noori Al-Maliki for PM even though Allawi had more seats. In Oct 2016, they united to pass a law banning alcohol. This means they can act as one party at crucial times for themselves.

Former Islamist MP Dia Shakarchi blames 'political sectarianism' for impeding democracy.[760] He attributes the difficulties of democratization to the 'prevalence of strict and closed-minded religiosity and the weakness of the culture of religious

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[755]   Ibid
[756]   Ibid, p32
[757]   Ibid, p33
[758]   Ibid, p153
[759]   Ibid, p33
[760]   Ibid, p54

tolerance especially among the religious or those who possess emotional loyalty to the sect'.[761] Shakarchi regards the feeling of belonging to a sect as 'the biggest impediment to the process of democratic transition' followed by belonging to religion, ethnicity and region. He goes further by claiming that Islamist parties are necessarily sectarian because they have to be either Sunni or Shia. 'There is no trans-sectarian Islamist party, neither in Iraq nor anywhere else'.[762]

Although most Islamist parties claim to be 'for all Muslims', in reality, there are no Sunni members in the Shia parties of IDP, IFP, SIIC, BO, or ST and no Shia members in the Sunni lists or IIP. When one asks them for the reason, as I have, they would say their parties are open to members of both sects but no one from the other sect has crossed the boundary 'due to sectarian polarization'! Shakarchi also blames corruption on sectarianism. 'Corruption was strengthened through hiding behind religious and sectarian slogans'. [763]

Shakarchi estimates that 90% of voters voted on sectarian basis. 'Most parties or electoral coalitions are either Sunni or Shia, and each side insinuates to its audience from among its respective sect that it's the protector of the sect from the 'terrorism' of the other sect, or the protector of the latter sect from marginalization and repression at the hands of the former'. He regards sectarianism 'the biggest impediment to the process of democratic transition' in Iraq.[764]

Former minister, Ali Allawi, affirms sectarian bias 'impedes democratisation in Iraq'. He asserts 'primary identities overshadow the democratic process'.[765] He acknowledges that people did vote in the last elections according to their sectarian rather than religious affiliations.

Prominent academic and author, Dr Kanan Makiya, regards sectarianism a huge hurdle in the face of any progress. He has even called for a 'fatwa' against

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[761]   Ibid, p51
[762]   Ibid, p54
[763]   Ibid, p58
[764]   Ibid, p59
[765]   Ibid, p67

sectarianism.[766] MP Miss Maysoon Aldamluji cites sectarianism as one of the factors that caused the failure of the Iraqi democratic experiment so far.[767] She is adamant that Islamist parties 'encourage sectarianism and permit religious discrimination against non-Muslims'.[768] She blames them for 'causing sectarian conflicts in Iraq and failing to run the state'.[769] Academic Dr Akeel Abbas, who authored a book about the subject, regards sectarianism as one of the impediments to democratization. It resulted in sectarian strife which 'made people resort more to their sectarian identities, seeking protection in sect-based militias that are more trusted and effective than the state itself'.[770] He explains that sect-based parties, by their nature, are 'not pluralistic and have in mind the interests of their sect followers' not all the citizens as modern parties have. He concluded that 'sectarianism and tribalism are structurally anti-democratic'.[771]

Hussein Al-Hindawi regards the current Iraqi state as sectarian, just like the previous one.[772] MP Adnan Al-Janabi[773], economist Bassim Anton[774], academic Kamal Field[775], Islamist politician Adil Abdur-Raheem[776], former minister Sharwan Al-Waeli[777], former spokesman of IHEC, Dr Fareed Ayar[778], MP Shorouq Al-Abayachi[779], MP Wahda Al-Jumaili[780] who complained of Shia discrimination against Sunnis, MP Waleed Al-Hilli[781], have all highlighted the negative influence of sectarianism on democracy and society as a whole. Writer Dr Abdulkhaliq Hussein described it as 'entrenched' and he reckons it may take a generation to disappear but he blames this on the Sunnis 'who found themselves no longer dominant in the

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[766] Ibid, p46
[767] Ibid, p76
[768] Ibid, p78
[769] Ibid
[770] Ibid, p88
[771] Ibid, p87
[772] Ibid, p47
[773] Ibid, p99-100
[774] Ibid, p101-103
[775] Ibid, p90-91
[776] Ibid, p64-66
[777] Ibid, p70-75
[778] Ibid, p79-85
[779] Ibid, p104-107
[780] Ibid, p108-110
[781] Ibid, p34-37

newly found democratic regime, while the Shia find themselves threatened by Sunni extremists'. [782] Dr Ayar says our current democracy is fragile because it is based on 'sectarian bigotry'. [783]

Kurdish writer, and former presidential chief of staff, Kamran Qaradaghi, blames 'sectarian polarization' for deepening 'the principle of belonging to the community, whether ethnic or sectarian, before belonging to the state'.[784] Islamist politician Adil Abdur-Raheem, in his defence of religious parties, acknowledged their use of sectarian rhetoric although he charges that secular parties could turn to sectarian rhetoric'.[785] Sharwan Al-Waelil acknowledges that sectarian loyalty is widespread in Iraq. He adds: 'religious and sectarian loyalty is harmful to the democratic process', and 'religious parties have exploited people's religious and sectarian emotions'. 'The citizen has reached a stage where he cannot compromise on the sectarian identity even though he is hungry, unemployed and his rights are taken away. This trend is harmful to society' he declares.[786]

MP Wahda Al-Jumaili lists 'favouring sub-identities over national identity' as an impediment to democracy and she blames it on the 'failing of politicians'.[787]
MP Miss Shorouq Al-Abayachi argues that electoral popularity is linked to a high tone of sectarianism.[788] This explains why some candidates have increased the dose of sectarianism in their discourse during the elections. MP Hanan Al-Fatlawi went as far as saying she would like to see seven Sunnis (killed) in place of every seven Shia killed in fighting terrorism.[789] She got over 90,000 votes in Babylon in the subsequent elections.[790]

 Al-Abayachi has observed that the electorate in Iraq voted in the last four elections

[782]   Ibid, p94
[783]   Ibid, p80
[784]   Ibid, p120
[785]   Ibid, p65
[786]   Ibid, p73
[787]   Ibid, p110
[788]   Ibid, p105
[789]   Diana Moukalled, Al-Arabia,net-11/4/2014: https://goo.gl/qYeUcA
[790]   Rabih Nader-(12/6/2014) Al-Monitor-op.cit.

on the basis of religious and sectarian loyalties. She singles out the elections of 2005, although she admits the density of this trend has decreased in the elections of 2010, but returned in full force in 2014.[791] This is corroborated by Sherwan Al-Wa'eli who said sectarianism was very high in the election of 2014. [792]

Dr Al-Jumaili argues that sectarianism is back because of the weakness of the state and affirms sectarian loyalties were the basis of voting since 2005. MP Sami Al-Askari admits sectarian agitation has been prevalent in Iraq since the fall of the Saddam regime and it has contributed to 'pushing the electorate into specific directions'.[793]

Sectarian divisions have prevented the emergence of an Iraqi national leader who is able to unify the country and have a vision for the future. Ali Allawi states "The search for the will-o'-the-wisp, the Iraqi national leader, predictably got nowhere, there were only Shia, Sunni and Kurdish politicians, a smattering of self-styled liberals and secularists, each determined to push their particular agenda forward'.[794] Prominent Iraqi sociologist and author, Dr Ibrahim Al-Haidari, affirms sectarian loyalty always conflicts with loyalty to the national identity and constitutes an impediment to practicing democracy which requires a belief in pluralism and respect for the other. 'Sectarianism impedes achieving democracy because it divides the national identity and breaks it up, while democracy unifies sub-identities in one national identity because it's based on the concept of citizenship and respect for the other'.[795]

Sectarianism is a form of group discrimination that contravenes the basic principles of democracy which are based on freedom of the individual and respect for the law. It constitutes a serious impediment to democracy and progress. If democratization is to succeed in Iraq, there must be a complete eradication of sectarianism from state institutions. This could have been done with some support from the democracy

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[791] Appendix-1, p106
[792] Ibid, p71
[793] Ibid, p19
[794] Allawi-(2007)-op.cit.p.460
[795] Appendix-1, p116

sponsor, the US, back in 2004/2005.

Parties should not have been allowed to form on the basis of sectarian identity and sectarian vocabulary should have been banned from the political discourse in the Transitional Administrative Law in 2004 and then the permanent constitution in 2005. It has become a lot harder now since it will need some concerted effort to rid Iraq of sectarianism which may not be easy especially when current sectarian forces are not prepared to give up their only weapon which they rely on to stay in power.

Chapter 9

Lack of Democratic Tradition (Culture)

Many people talk of the lack of democratic tradition as one of the reasons for the failure or lack of progress in the democratization process in Iraq. Others talk of the need to blend democracy with local values in order to make the new system familiar and more acceptable to people. Others say democracy is a new system and it has to be taken in its entirety since it's indivisible. There is a valid argument for both views.

Samuel Huntington predicted 'democracy could become a dominant feature of the Middle East and North Africa in 1990s'.[796] His prophecy didn't materialise, although the Arab Spring broke out in the second decade of the 21st century. But even then, Huntington identified the obstacle for democracy in Islamic countries as 'cultural'.[797] But he rejected the notion that certain cultures are permanent obstacles to development in one direction or another. He regards cultural obstacles as limited.[798]

Iraqi sociologist, Ali Al-Wardi, saw democracy and democratic values, as 'social rather than political virtues'.[799] Al-Wardi emphasized the 'disjointed' nature of Iraqi society, but he was not 'fatalist' regarding the possibilities of change. Rather, he insisted that 'no social or political project could succeed if it didn't take a realistic account of the country's history'[800]. Al-Wardi did come out in favour of a form of democracy based on both recognition of the country's diversity and proportional representation. He maintained that 'Iraqi people are divided against themselves and their sectarian, ethnic, and tribal struggles exceed those of any other Arab people and there is no way of resolving this condition better than adopting a democratic

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[796]   Huntington-(1991)-op.cit.p315
[797]   Ibid
[798]   Ibid.p310
[799]   Allawi-(2007)-op.cit.p15
[800]   Ibid

system, where each group can participate in power according to its proportional number'.[801]

Lebanese Islamic thinker and author, Hani Fahs, asserts that social realities must be taken into consideration when devising a political system.[802] He invokes the experience of the late Lebanese religious leader Sheikh Muhammed Mehdi Shamsuldeen, Tunisian religious leader, Sheikh Rachid Al-Ghannouchi, and Sudanese religious leader, Sheikh Hassan At-Turabi who adapted their ideas to suit the local culture. 'They realised the importance of accepting social realities'. Fahs expected the Muslim Brothers in Egypt to fail when they were in power, and this was on the record in September 2012. They were toppled by the army on 30th June 2013. He explained that 'they started doing all sorts of unacceptable practices'. He argues they introduced a culture that had no relation to the 'pluralistic Egyptian society where the Copts, Muslims and the non-religious, lived together'. 'If Muhammed Mursi cannot become president of all Egyptians, he should abandon politics altogether' Fahs declared.

Fahs reveals that 'there are religious jurisprudents who do not abide by the conditions of their religious mandate. They want to interfere in the very fine details on whim'. 'A sultan, and by that I mean ministers, managers, governors, presidents and rulers, must not wear a (*jubba*)' he declares.[803] He expected Iraqi Islamists to reflect what they have learnt in exile in their performance in government.

In his criticism of the Iraqi experiment, former GC member, minister and ambassador, poet and writer, Samir Sumaidaie, cites 'the lack of democratic culture' among the political leaders and most of the electorate as an impediment. This makes it "democracy without democrats" he declares.[804] Sumaidaie argues that a functioning, robust and durable democratic system cannot happen by chance but through evolution and struggle between forces with political power, which they do not wish to relinquish, and other forces which struggle to devolve political power and

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[801]   Ibid
[802]   Appendix-1, p6-7
[803]   Islamic religious garb.
[804]   Appendix-1, p10

make it accountable to the people. He affirms parts of the structure of the dictatorship (cultural, financial, and social) remained potent and resistant to the new order, which threatened their dominance.

He insists that there is a need for a 'democratic culture' to prevail, not necessarily among the people, but at least among the 'ruling elite'.[805] It's a valid point, but how can this be achieved in a democracy where the ruling class is elected by the people and they are bound to be of the same culture? Voters wouldn't elect people of different culture. Culture does take a long time to form and it may develop in a way that is not necessarily conducive to enhancing democracy.

Novelty of Experiment

Mr Sumaidaie suggests a few steps to accelerate democratization such as: Organizing a democratic movement, pushing forward the process of education and enlightenment, launching an ideological battle with anti-democratic forces, encouraging openness to the world through travel and cultural and other forms of exchanges, and enlisting and leveraging the help of international organisations and interested world powers.

If sectarian conflict in the region deepens, it will entrench sectarian forces in Iraq, while if the Iranian theocratic regime suffers from an internal crisis and collapses, it would have a positive impact on democracy in Iraq. If the situation in the Gulf, and in Saudi Arabia, in particular, changes dramatically, it would have a profound influence on the whole region.[806] Sumaidaie's views sound well-thought out, but linking establishing democracy to reforming Islam means it may take a long time if it ever happens.

Dr Faleh Abdul Jabbar defines the principles that govern impediments to democracy; 'democracy is based on the free choice of the individual and whatever impedes this freedom impedes democracy'.[807] This must extend to the social, tribal, familial, religious and cultural restrictions imposed on individuals which restrain their electoral

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[805]   Ibid, p12
[806]   Ibid, p16
[807]   Appendix-1, p29

choices.

Islamist MP, Sami Al-Askari, also blames the slow progress of the democratization process on the novelty of the experiment 'after decades of dictatorship and oppression'.[808] He goes a lot farther by saying 'our Islamic societies, Iraq is no exception, have not known anything but the culture of despotism through centuries. Freedom of expression was reserved for the strong only'.[809] He affirms Iraqi society is dominated by tribal values and these values do not accord with the spirit of democracy and personal freedom.

Al-Askari emphasises the need for freedom of expression to prevail first and in a gradual manner, benefitting from different factors, while it is 'getting freed from tribal and clerical restraints'. To him, democracy in Iraq existed 'in theory' over the last 8 years where elections were free and voters did vote for candidates of their choice, except in some cases. But he contends there are influential factors such as social structure and the novelty of democratic experience and the 'role played by the religious establishment in political and social life', have all contributed to 'pushing the electorate into specific directions which were designed earlier'. [810]

But Al-Askari argues this happens in any democracy. 'Talking of an electorate that makes its own choices without external influences is really academic' he asserts.[811] His last assertion is not supported by facts since the electorates usually examine the different political programmes and evaluate different political views before making informed voting decisions.

Al-Askari admits that wealth and belonging to certain families do play an effective role in winning elections in Iraq. 'Elections are like a staircase where some people can climb but taking the staircase is not available for every one'. He again gives an example from the West. 'The rich in Western democracies are the ones who can get to decision making positions and prominent families in America inherit the

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[808]   Ibid, p18
[809]   Ibid
[810]   Ibid, p19
[811]   Ibid

presidency and seats of Congress'.[812] In the Iraqi context the last statement must mean that those who were able to snatch money and positions now will stay in power for generations since people in a democracy are influenced by money and familial prominence! This must also mean the current phenomena that came as a result of corruption, violence and despotism will have a lasting effect.

It's interesting that Al-Askari is talking about rich families in the US 'inheriting' the presidency and seats of congress when the incumbent US president, Barak Obama, comes from a very humble background with a foreign African father.

Islamist MP Walid Al-Hilli blames the past political culture of despotism under the former regime for being an impediment to the progress of democracy. He also blames 'the racist feelings' of some people who are 'biased' against members of the other race.[813]

 Al-Hilli insists that the biggest impediments to democracy, whatever the form of democracy he believes in, are 'education and culture' or the lack of them. He contends that the problem is 'the absence of the desire to understand the requirements for democratic mechanisms'. He reckons that many people didn't understand democracy but 'they started singing democracy's praise according to their whim and not as it should be'.

 Al-Hilli is hopeful that democracy in Iraq 'will develop in the future'. He doesn't claim success, although his party, IDP, has been in power since 2005 and the last three PMs were members of it.

Academic and writer Dr Kadom Shubber, states that tribalism in Iraq is 'deep-rooted' and it's difficult to dismantle tribal networks, and the religious authority is revered, and this has led to elections resulting in a 'poor expression of the true popular will'.[814] Civil rights, he contends, are normally acquired…as a consequence of 'hard-fought struggles by those who demand them'. They are not given to them 'on a silver

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[812]   Ibid, p26
[813]   Ibid, p34
[814]   Ibid, p40

plate'![815] He lists certain requirements for the success of a democratically-based political system. First, 'People need to recognise that the system is both necessary and fair, in order for them to be motivated to utilize it and respect its outcomes'. Second, top leaders 'must show flexibility and mutual respect for one another'. 'No political system is foul-proof, and loopholes might spring up any time. The onus is on societal leaders to find speedy remedies'. Third is the system must have proper and adequate safeguards. These involve legal and security elements designed to ensure the system's smooth functioning, as well as adjudicate when disputes arise.[816]

Those conditions, Shubber explains, do not exist in Iraq. He gives his reasons; 'this is a nation that had been ruled ruthlessly by a brutal dictatorship for over 30 years'. He cites 'antiquated bureaucracy, no acceptable legal system nor transparent or just enforcement framework and violent state apparatuses'. Ordinary people have come to understand that the 'only effective deterrent to malpractice, crime, corruption and other wrongdoing was harsh punishment or the prospect of it' he explains. Shubber contends that most Iraqis were 'ill-prepared' for the positive changes in their political system post 2003'. Also, the changes that came about 'became the target of some criticism from most ordinary people'.

The president of the first electoral commission-(2004-2008), Dr Hussein Al-Hindawi, cites some historical and cultural hurdles to democracy in Iraq. '40 years of retarded totalitarian regime left its mark on Iraq'.[817] He regards the Saddam regime as 'particularly bad' in comparison with other totalitarian regimes such as Spain's Franco who he described as 'anti-communism and that's it'.[818] He credits Franco for establishing a real democratic system in Spain. 'He was a true believer in democracy but he thought the time wasn't right for it'. The last statement is controversial. Franco was a dictator who headed an authoritarian regime which, as we saw in Chapter 4, by its nature allows the development of democratic forces.

Al-Hindawi, speaks of difficulties presented to Iraqi democracy by 'the absence of democratic tradition'. He says it made it difficult for people to understand democracy.

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[815]   Ibid, p38
[816]   Ibid, p39
[817]   Ibid, p47
[818]   Ibid, p46

'A blanket given to the voter by a candidate persuades him to vote for that candidate'. He describes such a voter as 'having no respect for his opinion'.[819] But when people lack the basic necessities of life, such actions are not surprising. Hindawi highlights another cultural problem. 'The political class has no respect for democracy'. 'There is no single person who has any respect for the concept of democracy among Iraqi politicians' he contends. It's a damning statement from the president of the first electoral commission who was tasked by UN with administering the democratic system. It's difficult to establish a democracy when politicians do not respect it or believe in it. This is a real impediment.

Al-Hindawi excludes one person of his sweeping statement. 'Perhaps Ahmed Al-Chalabi has more understanding of democracy than others because he lived abroad'. But Chalabi never won an election on his own. He had to be part of an Islamist list to win a seat. Al-Hindawi is categorical that 'none of the elite who lived abroad is democratic; on the contrary, they think that democracy is a (deceit)'.[820]

He explains that those who believed in democracy during the opposition era did that 'because they were weak'. In other words, they did it because they wanted help form other countries for 'toppling Saddam Hussein and establishing a democratic regime in its place'. They used democracy in their discourse because the world would sympathize with this cause. But once the dictator was removed, they went back to their old ideas. Hindawi's last statement accords with Adam Przeworski's view that not all who engaged in opposing the authoritarian regime are necessarily pro-democratic. Some use the democracy slogan as a step toward 'devouring their authoritarian opponents and their allies in the struggle against the old authoritarian regime'.[821]

Al-Hindawi reveals that among the Iraqi Diaspora, estimated to number 2-4 million, 'most of those who went back to Iraq were the ones who lived in non-democratic

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[819]   Ibid, p48
[820]   Ibid
[821]   Przeworski-(1991)-pp94-95

countries such as Syria and Iran'.[822] This is largely true, since most people who immigrated to Western countries stayed there, with a few exceptions, largely politicians who travelled between Iraq and their new countries, and some others who couldn't succeed in the west due to their lack of skills or understanding of language and culture. Very few among those who returned to Iraq were people who lived, worked and achieved in the West. But even those few who have retuned, 'have actually lived in their own narrow societies and hence didn't understand the European experience' according to Hindawi.[823] Many of those Hindawi referred to didn't speak the language of the countries they lived in, nor did they understand their cultures.

Former MP Dia Shakarchi has a long list of reasons for the difficulties the democratic experiment in Iraq is facing. The first impediment to democracy in his opinion is the absence, or the low level, of the requisite of democratic culture, which includes the 'culture of citizenship'. 'This culture, or awareness of it, denotes the feeling of belonging to the nation of Iraq, and also the belief in freedoms and equality and respecting other opinions'.[824] He identifies another impediment and that is 'the culture of focusing on the role of the individual and the failure of the culture of institutional action to take root'. By individual he means the leader. Shakarchi is actually criticizing the absence of collective and establishmentarian action in Iraqi culture.

He notes the absence of peaceful transfer of power in Iraq, even in the ranks of 'democratic secular parties'. This sounds like a contradiction in terms since democracy stipulates the practice of 'peaceful transfer of power' to the winner in elections. But those secular parties which have made it their mission to introduce democracy to Iraq, have not practiced democracy within their parties to prove that they are democratic. Most party leaders have remained in their positions since their establishment as the mechanism to replace leaders has not been activated.

Another problem Shakarchi highlights is 'double standards' which, he charges that

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[822]   Appendix-1, p49

[823]   Ibid

[824]   Appendix-1, p51

the political elite are 'infected' with it.[825] He is also adamant that tribal, regional and sectarian loyalties do impede democracy.

Adil Abdur-Raheem identifies the prevalent culture in Iraqi society as the culture of 'religious, partisan, tribal, sectarian or regional loyalties'. He says 'Some candidates were chosen despite not possessing parliamentary qualifications'. [826]

The only criterion or 'qualification' in a democracy, however, is the choice of the people. What he means is that the candidates were not fit to be members of parliament. In other words, the wrong people were chosen due to the confusion, misinformation and the lack of clear political programmes. But this might also be attributed to the lack of awareness among the electorate. As for educational qualifications, the law in Iraq stipulates that no one can stand for parliament unless they possess an international Baccalaureate (successful completion of secondary school education).

He identifies ''well-entrenched loyalty' in Iraqi culture as a problem. 'It brings weak people to state institutions and is one of the factors that impede democracy'. What is meant by loyalty here is not political affiliation but sectarian, tribal and ethnic affiliation. He confirms that loyalty, be it religious, tribal, partisan or sectarian, 'was the basis for voting in the previous period'.

Ali Allawi also cites cultural impediments to democracy. 'The prevalence of tribal and patriarchal values that 'reduce the scope for individual action, thereby limiting or undermining one of the principal premises of democracy' he asserts. He also alludes to the idea of lack of democratic culture in Iraq. 'Very few Iraqis have been steeped into the liberal democratic politics' he declares.[827]

He adds sectarian, tribal and regional affiliation or bias to the cultural values that impede democracy. These primordial identities 'overshadow the democratic process', he asserts. He agrees that hypocrisy by politicians and the electorate

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[825]   Ibid, p51

[826]   Ibid, p64

[827]   Allawi-(2007)-op.cit.p135

necessarily has an adverse effect on the performance and efficiency of the political class.[828]

Mr Sharwan Al-Wa'eli identifies a common problem which is Iraqi democracy is not indigenous. He argues it 'was built abroad and this has led to real misunderstanding or misreading of the realities inside Iraq since the internal situation was not taken into consideration'. He identifies 'giving freedoms' too soon was no good and the transformation of the country 'by 180 degrees was done all over a sudden'. This, he contends, has made the Iraqi democratic transition 'immature'.[829]

He contends 'the transformation from a centralized totalitarian system that had legal rules for everything to a chaotic system in every sense has led to distorting the understanding of democracy'. 'Standardised global views on democracy' were bound to fail in Iraq since democracy is not just ideas and procedures, in his opinion, but it's a practice as well. His reading is that both the political class and the people had misunderstandings about democracy. For the political class, it's 'monopoly of power', while the people need 'cultural concepts that raise their standard to the point where they can apply democracy in practice'.[830]

Al-Wa'eli associates the exploitation of the electorate by politicians with poverty in the country. He charges that politicians played with the emotions of the electorate for political purposes. 'Political parties have exploited the citizen and his need to get a job and other simple needs, especially where 37% of the population is poor. Politicians have played with people's emotions and stole their votes".[831] With regard to tribal loyalty Al-Waeli notices it's not strong in cities although it is still strong in villages.[832]

Historical Example

Maysoon Aldamluji laments that Iraq was given a 'strenuous opportunity to turn into a democracy' but the experiment has not been successful. 'In many aspects, Iraqis

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[828]   Appendix-1, p67
[829]   Ibid, p70
[830]   Ibid, p65
[831]   Ibid, p71
[832]   Ibid

today are not better off than they were before 2003'.[833] Aldamluji lists poor historic examples of democratic tradition, absence of democratic institutions, weak judicial system and lack of vision among the ruling elite as obstacles to democracy.[834]

She explains why a historical example is necessary for the establishment of democracy in Iraq: "Historic examples apply to all countries…that begin the process of democratization for the first time, not just Iraq. A nation builds up its democratic traditions through accumulating collective experience'.[835]

Dr Fareed Ayar reserves a very different explanation about the suitability of democracy for Iraq. It's especially significant when it comes from a member of the electoral commission that organized the first two elections and the referendum on the permanent constitution. Ayar is adamant that 'democracy is not an ideal idea for Iraq'. 'It's a good system for those who appreciate what democracy is all about'. 'Therefore we need to specify the nature of the people or human groups where democracy is to be applied'.[836]

Ayar does not hesitate to speak up. 'I believe democracy doesn't benefit Iraq currently and we must find a new idea or a system other than democracy'. He must have damning evidence, which must have come after his 4-year stint with IHEC that made him reach this drastic conclusion.

It was Fareed Ayar who explained it all for politicians on a personal level and to the public through the media and public meetings. Based on his study of the first elections held in Iraq, he asserts the application of democracy is neither 'good nor right in the sense it's prevalent now'.

One can sense anger, regret and disappointment pouring as he goes on to describe the electoral scene during the first two elections. While admitting that there is free press in Iraq now, Ayar argues the proliferation of the media 'doesn't lead to progress nor to guiding the people towards their basic issues because the channels are mostly religious and they broadcast material that soils the reputation of the Iraqi

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[833]   Ibid, p76
[834]   Ibid, p76
[835]   Ibid
[836]   Ibid, p79

people'. [837]

 Ayar has a point there since writers such as Jack Snyder also believe the media can play a role that is anti-democratic. Snyder states that the media provide political elites opposed to, or who feel threatened by, democratization, with the wherewithal to win the public over to their anti-democratic cause. He notes that the elites in newly democratizing states "often retain partial monopoly control over the media, and the market is divided into segments by national identity. This kind of imperfectly competitive market may yield the worst of both worlds. On the one hand, elites have no alternative but to compete intensely for the mobilization of mass support. On the other, by targeting captive ethnic or national market segments, they can avoid debating in a common forum where ideas are publicly and rigorously scrutinized by competitors and expert evaluators."[838]

Ayar makes clear that 'religious, ethnic and regional fanaticism flies in the face of democracy and impedes its application'.[839] However, he disagrees with the current system which treats all voters on the same footing. He contends that people are not the same and, therefore, should not be treated in the same way. 'There are illiterate people who go to vote, and beside them stand educated people who are graduates of renowned universities. There is a huge difference between the two. How can they be equal?'[840]

Notwithstanding Ayar's insistence that this is not a matter of discrimination, this view clearly has no basis in democracy and flies in the face of international law and the principle of the citizens' fundamental equality of rights and duties under the law which constitutes the bedrock of the concept of citizenship.

Ayar concludes that all these aspects of democracy, such as elections and parliaments, 'are of no benefit to third world countries presently because peoples are in need of a just rule associated with ruthlessness'. He marvels at the fact that in many cases ruthlessness seems to yield benefits for third world countries while

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[837]   Ibid, p83
[838]   Snyder-(2000)-op.cit.p58
[839]   Appendix-1, p81
[840]   Ibid, p80

democracy does not.

He doesn't seem to question the legitimacy of the undemocratic regime he is proposing. 'That legitimacy comes through the ballot boxes alone is an incomplete statement' he opines, 'the brain boxes' are the ones which bring legitimacy'.[841] He argues the army should be given a role in cementing democracy, although he doesn't trust the current army which he regards as weak and blames democracy for this weakness.

Effectively, Ayar's argument stipulates that the consolidation of democracy depends in part on the role played by the army, but as democracy is consolidated, the army is enfeebled, and therefore the consolidation of democracy is weakened as a result. According to this reasoning, democracy appears caught in a vicious circle from which it cannot break free.

Dr Ayar's worst fear stems from the prospect of the breakup of Iraq. 'I reject division even if it comes through democracy in which my belief has been shaken'. He regards the reign of Brigadier Abdul-Kareem Qassim as the 'only the real democratic regime in Iraq'. 'The country,' he notes, 'was more beautiful, cleaner and better, and the people were comfortable'.[842] Clearly, Ayar's understanding of democracy differs hugely from reality. He associates democracy with successful policies and strong government and economy. Although this would be the aim of a democratic government but it may not be the end result. Government failure doesn't make it undemocratic.

Undemocratic Culture

According to John Rawls' theory, there are three types of societies, depending on the political circumstances they live under, each of which needs a different approach.[843] The first one is a society that is 'well-ordered and its members

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[841]   Ibid, p84
[842]   Ibid, p85
[843]   Rawls-(1993,1996,2005)-op.cit.248

recognise a firm overlapping consensus of reasonable doctrines and it's not stirred by deep disputes'. The second type is also 'well-ordered' but it's subject to serious dispute with respect to applying one of its principles of justice. The third type is a society that is not well-ordered and where there are serious divisions about constitutional essentials when certain religious arguments were tolerated.[844] Iraqi society must fall into the third category since it's deeply divided and not well-ordered. Diamond-(2005) stated the existence of several issues that Iraqis were divided about and he described them as 'different cultural groups'. [845]

Among the reasons that Dr Akeel Abbas lists for the partial failure of the democratic experiment is 'a dominant, mainstream culture that is essentially undemocratic in its basic values and system of meaning'. Another one is 'the weakness of civil society organizations and secular parties'.[846]
He affirms tribal and sectarian affiliations or biases impede democratisation because 'they feed into collective, hierarchal thinking, instead of individualistic thinking that is usually the basis of any genuine democratic process'.

Dr Abbas regards tribal and sectarian affiliations as 'structurally anti-democratic', although he makes a clear distinction between them and regional, sub-national affiliations which he doesn't believe to be impediments to democracy.
He points to the lack of knowledge or practice in Iraq of 'individualism and genuine respect for pluralism' which he considers as one of the 'fundamental pillars of any effective democracy'.

Abbas contends the challenges to democratization in Iraq are 'primarily cultural'. 'The non-democratic culture will have to democratize to allow the emergence of a genuine democratic experience'. He advises that this requires reforms in the areas of education, law and state performance. 'It is a generational project that would probably take 20-30 years to materialize, if everything runs relatively well'.[847]

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[844]   Ibid.p.249
[845]   Diamond-(2005)-op.cit.p128
[846]   Appendix-1, p88
[847]   Ibid, p89

Dr Kamal Field sees progress through the idea of 'good governance'. He agrees that tribal, sectarian or regional affiliations or biases, impede democratisation, but only if 'the values of the tribe are contradictory to the values of democracy or good governance'.[848] It's established that biases of any kind do affect and impede good governance which depends on fairness, equality and transparency and this ultimately affects democracy. Field compares the influence of Iraqi political leaders on the political system with other advanced countries. 'In Iraq the personality of the political leader plays a role in creating the character of the political system. In advanced countries….leaders have a limited role in exploiting the leadership position'. [849]

Field contends that the 'general cultural and educational standards do not currently accord with the democratic option' and this is one of the difficulties for democracy.[850] But isn't this because voters felt they were under religious obligations to do so due to intensive campaigning by Islamists? If a breakthrough in education is the only possibility for democracy to succeed, religious education has been enhanced many folds under Islamists with so many religious schools and universities opening.[851]

Dr Abdul-Khaliq Hussein blames the long decades of the despotic regime of Saddam Hussein for what he calls the 'chaos' which he says was inevitable after the collapse of the regime. He explains the current difficulties in historical perspectives and how other nations faced similar upheavals. He referred to the 'Thirty Years' War [1618-1648] in Europe' between Catholics and Protestants, which ended with the Treaty of Westphalia in 1648, where 'nearly 20% of the European populations were annihilated' in that war. He also referred to 'the sectarian wars' in Britain.[852]

Despite this gloomy picture, a sense of optimism still seeps through as he observes that 'in the end, tolerance prevailed'. This prompts him to sound a hopeful note about the future of democracy as well as social and inter-communal peace in Iraq.

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[848]   Ibid, p90
[849]   Ibid, p91
[850]   Ibid, p90
[851]   Adnan Abuzeed-(5/5/2014)-op.cit
[852]   Appendix-1, p92

'Eventually, the Iraqi people will learn how to live together in peace, and come to cherish a democratic regime' he says. 'But no one…knows how long this eventuality will take to arrive' he reveals.

One difficulty he alludes to, which is cultural. It's the fact that 'the loser cannot accept defeat'. Still, he has an explanation for this. 'That's how democracy started in the West. Eventually democracy and acceptance of the results of elections have become an integral part of their cultures. Iraqi people are no different'. [853]

He asserts that democracy 'has never been born fully developed anywhere in the world and those who expected that Iraq would become Sweden or Britain immediately after Saddam's downfall were mistaken'.

Hussein stresses that democracy needs time to flourish 'particularly in a country that has no history of democracy prior to 2003'. It shows he also attaches importance to the prior existence of 'democratic culture'.

Although he strongly believes there are cultural and religious obstacles to democracy, he is hopeful because 'the situation is not hopeless'. The problems Iraq is facing are not peculiar to Iraq, in his opinion. 'Almost all the great European democracies have faced such problems', he avers. He identifies Iraqi culture as 'a mixture of modernity and Bedouin [values]' coupled with the effects of sectarian and racial conflicts. He argues the 'pluralistic nature of Iraqi society' requires a democratic system. [854]

Adnan Al-Janabi explains that Iraq is a 'tribal society with "Bedouin" mentality which has no respect for representative governance'..[855] This is selfless politics that a tribal sheikh who rallies his tribesmen to vote for him in elections, admits that tribalism is an impediment. Al-Janabi also regards regional affiliations or biases as hurdles to the development of democracy.

Mr Bassim Anton argues that tribal, sectarian and regional loyalties do impede democracy and the evidence is 'many educated people didn't even get 10% of the

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[853]   Ibid, p95
[854]   Ibid, p98
[855]   Ibid, p99

tribal voters'. He contends that secular parties are 'mostly fairer and more democratic' because 'they usually have high percentage of educated and cultured people among their membership'.[856]

He doesn't believe the democratic transition has completely failed, 'the democratic culture has spread, even though in a distorted way sometimes'.[857] However, he lists a few impediments which contributed to the partial failure of the democratic transition; among them is 'the weakness of democratic culture (awareness or education).

He argues that society, parliament and government ministries were divided on sectarian basis because most voters in the last three or four elections voted on the basis of their religious and sectarian loyalties.

He points to the 'initial weakness of politicians and rulers at the beginning stages', 'the sectarian division' of the Governing Council , 'the dominance of personal interests of politicians and rulers and financial and administrative corruption'.[858]

MP Shorouq Al-Abayachi regards 'the patriarchal fatherly, tribal male mentality' as the most important cultural impediment that has been enforced through increasingly failed governmental policies since the beginning of the 1990s'.[859] She also lists as impediments 'the collapse of the middle class and the disappearance of its civilized values', which acted like as 'nurturing environment' for the cultural and sectarian diversity. Al-Abayachi links democracy and tolerance to the existence of the middle class.

She holds that the spread of illiteracy and ignorance in Iraq is due to the collapse of the educational institutions and the spread of poverty that's responsible for creating this situation. She also blames wars, dictatorships and later sectarian conflicts for enforcing the attitudes and mentality she mentioned. Al-Abayachi also lists tribalism and regional loyalties among impediments to democracy. 'These sub-identities have

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[856] Ibid, p101
[857] Ibid, p102
[858] Ibid, p103
[859] Ibid, p101-103

contributed to the loss of the Iraqi national identity'.[860] She argues these loyalties have contributed to the enforcement of 'submission to the clerics and the clergy in general and to tribal and regional personalities', while real democracy 'depends on the spirit of citizenship and the horizontal extension of responsibilities according to competence and talents and based on equality between citizens without any consideration of their religious, sectarian and regional backgrounds'.[861]

Dr Wahda Al-Jumaili, acknowledges the existence of tribalism but doesn't regard it an impediment to democratization. She explains it was an option that people resorted to. 'The nature of Iraqi people is tribal, and when the state is weak, the citizen resorts to any other refuge that can protect him which is the tribe, region or sect'.[862]

Al-Jumaili contends the culture of society and politicians promotes a 'central system, a ruling party and despotism', so democracy is alien to Iraqi culture. Among the challenges to democracy in her opinion are the discord, division and weakness of social peace and favouring sub-identities over national identity'. She pins this on 'the failing of politicians who are decision makers'.

Kurdish writer, Kamran Qaradaghi, also attributes the failure to establish the institutions required for a democratic state, to the 'absence of democratic culture'.[863]

Economist Kamal Field avers there is an absence of 'the norms of coexistence' between people of different opinions or beliefs in Iraq. He explains this reflects the lack of equality in rights and duties.[864] He regards this as an impediment to establishing democracy.

Sociologist Ibrahim Al-Haidari believes democracy 'cannot grow in a country where there are no democrats and democratic culture'! He states that 'we still haven't learnt democratic ethics and are not trained to practice it on sound basis and in a way that

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[860]   Ibid, p105
[861]   Ibid
[862]   Appendix-1, p108
[863]   Ibid, p120
[864]   Ibid, p90

contributes to our progress'.[865] He identifies a serious social problem regarding democracy. 'When an opportunity to exercise freedom arises, we quickly exploit this margin of freedom and democracy so that it turns into chaos. The individual only knows the negative side of freedom; that is the excessive audacity in speaking and acting, the taking of the right[s] by force without any regards for the state and the law and without respecting the [rights of the] different other. On the contrary, the other is insulted and exploited, and acts that reflect shallowness of culture and ethics are performed' Al-Haidari contends.[866]

He regards what he calls 'Pastist culture' as 'parental, patriarchal, auditory, oral, non-written' and contends it 'stands against democracy at the level of praxis because it is neither liberal nor informed'. He regards this as the reason why most of the electorates vote on the basis of their religious, sectarian, tribal, partisan affiliations as well as private interests. Furthermore, Al-Haidari contends that 'the use of democratic mechanisms to hold elections in an atmosphere where individuals do not enjoy complete social/political awareness, nor self-independence, aborts the democratic process and facilitates the ascendance of non-democrats to power'. He attributes this to the 'weakness of the state and the spirit of citizenship, the split identity and the non-development of real and effective democratic forces in society'. He argues it strengthens the tribal, sectarian and regional spirit and consolidates it at the expense of the homeland, citizenship and democracy.

Al-Haidari has a final piece of advice. 'We must learn about freedom, the individual's independence and a real democratic culture, then we can practice them as values and behaviour in daily social life starting from the family, through civil society establishments which are independent of the state, till we reach the top of the pyramid of power. This is the only way to rid ourselves of backwardness, despotism, violence and terrorism. If democracy is a culture, then it must grow automatically and spontaneously and from within'.[867] Samuel Huntington regarded the weakness of democratic values among key

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[865]   Ibid, p112
[866]   Ibid
[867]   Ibid, p113

elite groups as well as the general public a contributing factor to the first and second reverses.[868]

In conclusion, as we have learnt above, democracy is alien to Iraqi culture, Iraqis are new to it and they need to learn about it in order to practice. It came to Iraqis all of a sudden and it requires some education in order to consolidate. This will take time.

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[868]   Huntington-1991-op.cit.p290

Chapter 10

Political and Administrative Errors

1

Deba'athification

The Ba'ath Party-(BP)- had two million members; at least that's what it claims and what the US has acknowledged.[869] It's true that most of them were not necessarily believers in its ideology nor enthusiastic for its policies, but under the rule of Saddam Hussein everyone needed to join BP in order to get on in life, get a job anywhere in the civil service or education or because he/she was coerced.[870] Some joined to progress in their career or just to feel safe from persecution. In the army, everyone had to join. The same goes for education.[871] Students cannot be admitted to certain universities and colleges unless they join BP; most of them did. The media profession was only open to Ba'athists.[872] Only those who work in the private sector can escape joining because they didn't need to, although they still had to show support in other ways.

Even if 10% of the two million members were true believers, this amounts to 200,000. It's a huge number of people to alienate when you are trying to build a democracy from scratch. On 16th of April 2003, General Franks, the Commander of the US forces in Iraq banned BP in his 'freedom message'.[873] On the top of banning BP from political participation, Bremer signed Order number 1, the Deba'athification of Iraqi Society on the 16th May 2003. The order basically excluded the four top ranks of the party from holding any public sector jobs in the highest three layers of responsibility. He estimated the number to be 20,000 members and most of them are

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[869]   Bremer-(2006)-op.cit.p39

[870]   Ibid.pp39-40

[871]   Hamid Alkifaey, Staying Above The Soil, The Guardian-16/5/2003: https://goo.gl/YW989R

[872]   Jean Sasson-'*Mayyada the Daughter of Iraq*'-Bantam Book Edition-(2004)-p2003: https://goo.gl/A0dQG0

[873]   Bremer-(2006)-op.cit.p39

Sunni Arabs.[874] Larry Diamond estimated the number of Ba'athist affected by the decision to be between 30,000-50,000 individuals.[875] He even thinks the final number is a lot higher. This created the feeling of discrimination since a particular section of society is hurt more than others. The instruction from the US Defence Secretary, Donald Rumsfeld, is that the order 'must be carried out even if implementing it causes administrative inconvenience'.[876] So, Americans expected inconvenience as a result of implementing this decree because most of state employees were Ba'athists.

In addition, this was done without any consultation with Iraqis or political parties or professional bodies which may have given them a different advice. Bremer told his staff 'we would engage 'responsible' Iraqis' in the Deba'athification process. 'We do not know Iraq as well as Iraqis do'.[877] But this Iraqi 'engagement' was kept secret as no one knows who Bremer consulted, if he ever did. Later, Bremer acknowledged that banning Ba'athists from holding senior official posts was 'a lot more than inconvenient' since 'senior Ba'athists had formed the leadership of every Iraqi ministry or military organization'.[878]

In fact this policy caused chaos in Iraqi institutions, not only did it create enemies for the new regime within the Iraqi people, since there was almost no family that didn't have a Ba'athist within its ranks. But it also caused hardship and discord among many people. Bremer admitted it was a mistake to let Iraqi politicians be in charge of the implementation of Deba'athification.[879] Iraqi historian, Dr Kanan Makiya, called it 'unwise'. 'It was by far wiser not to have banned BP after 2003 because of how many people had been members of it and because of the suspicion that would naturally fall upon anyone who had been a member, thus encouraging the politics of "settling of accounts," which turned out to be one of our biggest problems after the fall of the

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[874]   Ibid.p40
[875]   Diamond-(2005)-op.cit.p39
[876]   Bremer-(2006)-op.cit.p39
[877]   Ibid.p42
[878]   Ibid.p40
[879]   Paul Martin-interview-The Independent-18/3/2013: https://goo.gl/qwe6oU

regime because all the new leaders engaged in it on a very wide scale'.[880] Former PM, Ayad Allawi, regarded politicizing Deba'athification as one of the reasons of the failure of democracy in Iraq.[881]

Academic Akeel Abbas asserts this policy is 'wrong-headed and counterproductive' because 'BP has some following among Iraqis who, if BP is barred from politics, will go unrepresented, potentially turning into a disgruntled and angry segment of society.'[882] He adds this policy 'sends BP to the world of the underground with potential resort to violence, instead of making it go away as the Deba'athification policy makers envisaged'. That's exactly what happened. BP went underground and violent. Abbas adds 'this has the effect of upsetting the democratic process in Iraq as the past 12 years have shown'. Abbas concludes that BP should be given the choice of disavowing violence, allowing the judicial system to prosecute its members accused of political crimes in fair trials, and, consequently, allowed to enter politics and only if it refuses should it be banned from entering politics.[883]

Economist Kadom Shubber shares Abbas's opinion that banning any party would force it to go underground, adding that this may 'enhance their status in the eyes of the public'. He called for the establishment of 'Truth & Reconciliation Commission' which allows those who committed crimes to 'repent' and those affected by their crimes to 'forgive them'. This way, 'only a limited damage is done'.[884]

Other intellectuals, such as Hussein Al-Hindawi, believe the principle to exclude BP was right but implementation was 'riddled with mistakes, violations, arbitrary decisions, and sometimes self-interested exploitation' that were met with 'collusive silence from the judiciary'. He regards Deba'athification as a 'political project, not a law, and herein lies the problem'. He concludes that the aim 'should have been to ban BP since 2004 as a Fascist party opposed to democracy'. Al-Hindawi reveals

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[880]   Appendix-1, p137
[881]   Ibid, p32
[882]   Ibid, p136
[883]   Ibid
[884]   Ibid, 126

that Saddam Hussein's brother, Barzan, had asked Saddam to dissolve BP after the invasion of Kuwait because he believed 'it became harmful to the Iraqi people'. [885]

Academic Kamal Field believes there was some justification to 'exclude BP immediately after 2003' because the masses of the party were used directly and indirectly to repress Iraqis, especially those who belonged to other political parties. But he adds this 'should have been reviewed after establishing the new political process in Iraq to give opportunities to all those who have not committed crimes to engage in normal life' and this should have ideally been done in 2010 or at least in 2014. [886]

Maysoon Aldamluji, has a similar view. 'Individual BP members who have not committed crimes, should have been allowed to stand in elections, but not the party as an institution that had monopolized political life in Iraq and manipulated all government and nongovernment institutions for its interests'. [887] But she brings in another factor. 'External interferences made the elections unequal'. She points out to another problem which is 'the absence of law for political parties' in all the previous elections. [888] Political Parties Law was only passed in late 2015. She concludes by stating that there was enough justification for excluding BP in the first and second elections. But this needs to be reviewed since 'crimes have diversified and they are no longer exclusive to BP'. She affirms 'ending Deba'athification will bring some stability to the country'. [889]

Sociologist Faleh Abdul-Jabbar contends it's fair to exclude BP from the political process because Ba'athists deprived others from their rights. 'They bear moral responsibility, even those who were not in positions of responsibility'. [890] This sound harsh if we take into considerations what went on in other countries which democratised after the fall of one-party rule.

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[885]   Ibid, p135
[886]   Ibid, p127
[887]   Ibid, p129
[888]   Ibid
[889]   Ibid
[890]   Ibid, p29

Sociologist Ibrahim Al-Haidari agrees that banning BP left the new regime with so many enemies, but he believed it was necessary. He blames Iraq's problems past and present on 'the heavy legacy of BP and its ideology'. But he qualifies his approval of the banning. 'This type of banning needs an alternative social and political philosophy and a real national democratic project, not sectarian power-sharing'. Since he is German-educated, he knows the German experience of Denazification well. He believes it was right and successful, but attributes this to the establishment of a 'constitutional system that is based on respect for the law and supports the reconstruction of what was destroyed in the war'. He alludes that this doesn't exist in Iraq, thus, Deba'athification was bound to fail.[891]

Samir Sumaidaie agrees BP should be banned because it didn't believe in democracy. The Ba'athists, 'by their words and deeds, declare themselves as having the absolute right to lead. It is the "leading party". Its legitimacy is based not on elections but on "revolutionary legitimacy"'. Sumaidaie believes BP shouldn't be allowed in Iraqi politics even if its members declared their belief in democracy because it would be 'a totally different animal. It cannot be the Ba'ath Party'.[892] But Sumaidaie goes further than this; 'argument about BP applies to Islamist parties'. 'They should be barred from the democratic process because they aim to use democracy to reach power and then utilize it to destroy democracy. Their ideal model is (one man, one vote, one time)'.[893]

Activist Hashem Ganem believes that the political dynamics would have been enhanced if BP was invited to contest the first post 2003 elections. 'All of Iraq's ills would have been leveled at its doorstep during electioneering'. He reckons that BP 'would have not won any seats in parliament, and if they did, it would've been a miserly number of seats'. Ganem believes that allowing BP to partake in the first elections post 2003, would have shown maturity and inclusiveness, which would have been a stunning political maneuver, and a serious step towards reconciliation. But he admits that 'it would have been inconceivable for BP to join the political fray

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[891]   Ibid, p130
[892]   Ibid, p132
[893]   Ibid,

and would have made the same ludicrous demands to return to power, reinstate Saddam, the US to compensate for the war damage and called for Jihad. Then all consequential violence would have been identified so clearly as theirs'.[894]

Ayad Jamaluddeen, a Shia cleric and MP-(2006-2010)-called for dialogue with BP and allowing those Ba'athists 'whose hands have not been stained with the blood of the Iraqi people' to participate in the political process. He in fact called for 'forcing' the Iraqi government to conduct a dialogue with the Ba'athists in order to save the blood of Iraqis'. He told *Asharq-Alawsat* newspaper 'it's a conflict over power between two groups. The one in power now who got there via American tanks and another one that lost power through American tanks'.[895]

Most Iraqis as well as politicians and security experts across the world blame the security deterioration on Ba'athists or remnants of the previous regime which are known to be fighting alongside terrorist organizations such as ISS.[896] This is largely caused by their exclusion from political participation.

Examples from other democratic transition: In Spain, all parties were allowed to participate in the elections, including the Communist Party which was banned under Franco, and more controversially, Herri Batasuna (HB), a party that advocates independence and 'revolutionary change in the Basque Country and doesn't hide its sympathy and indirect support for ETA terrorists'.[897] HB managed to get some representation but it was contained politically.

Spain allowed even anti-democratic forces such as Fuerza Nueva. It's a neo-fascist group that was allowed to participate in the 1979 election in which it only attained 2.1 percent of the total vote, electing only one deputy and disintegrated as a political force soon afterwards.[898] Even Antonio Tejero, the general who participated in a

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[894] Ibid, p133

[895] Ayad Jamaluddeen-interview by Shatha Aljuboori-Alsharq Alawsat newspaper-14/12/2009. http://archive.aawsat.com/details.asp?issueno=10992&article=548458#.VyldDagrK1s

[896] International Coalition for the Responsibility to Protect: https://goo.gl/ZnKdjB

[897] Linz& Stepan-(1996)-op.cit.p98

[898] Ibid

coup in 1981, was allowed to run a party, Solidaridad Espanola, from his jail in the 1982 election. He only won 0.13% of the total votes. 'Democracy doesn't mean that every citizen supports democracy, nor that anti-democrats should not enjoy democratic freedoms for legal and nonviolent activities'.[899]

Juan Linz & Alfred Stepan (1996) state that 'the defence of democracy is the duty of democratic parties and leaders and ultimately of the voters, making possible government by democrats'.[900] Separatists' violence increased considerably in Spain during the transition to democracy, but this didn't stop the democratic leaders from including anyone in the democratic process.

In Argentina for example, they dealt with the issue of the crimes of members of the former regime by dividing those potentially guilty into three categories:

1-Those who gave orders to violate human rights
2-Those who carried out the orders
3-Those who engaged in human rights violations beyond the actions they were ordered to take
Categories 1&3 were indicted and tried, while those in category 2 would be tried only if they knew that the orders were illegitimate.[901]

In Poland, there was no barring of any party. In fact the Communist and Peasant parties, which were allies during the previous regime, won an absolute majority in the election of September 1993 and could have theoretically drafted and passed the constitution in parliament unilaterally.[902]

In Hungry, there was low societal demand for revolutionary purges, and ex post facto justice was substantially low. Most of the technical experts, and even judges, were considered usable by the new democratic government.[903] Even when parliament passed a 'qualified purge law' the constitutional court overturned it. There was a

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[899] Ibid
[900] Ibid
[901] Huntingdon-(1991)-op.cit.pp219-220
[902] Linz& Stepan-(1996)-op.cit.p291
[903] Ibid.p313

'lustration law' passed in 1993, but it was restricted to those who played a coercive role in the 1956 revolution.[904]

There are of course understandable reasons for this tolerance and perhaps it has to do with the fact that the Communist, at least the moderate faction, had played a role in making the transition possible, especially in the round table negotiations with the moderates of the opposition, which led to the transition. Both sides realised that they could not triumph alone, they both recognised the depth of the social and economic crisis and feared that the repeat of the 1956 would do harm to their future.[905] This sort of understanding and responsible position was not possible in Iraq, and that is also understandable in the light of the suppression and repression that the Ba'athist practiced during their 35-year-rule. Neither BP, nor the influential opposition parties which came to power after the US invasion, perhaps with the exception of INA led by Ayad Allawi, a former Ba'athist himself, had any room for compromise nor a space, no matter how small, of mutual trust.

The lack of cooperation is also due to the nature of the change, which was done by a foreign invasion. There were no negotiations or any understanding between the two acrimonious sides which remained locked in their historical animosity at the expense of the strength of Iraqi state and the project of democracy. Even Iraqi opposition parties which came together to form a leadership council and later participate in a coalition government lacked serious cooperation as the US civil administrator of Iraq stated.[906]

Many in Iraq disagree with the Deba'athification law (now called the Accountability and Justice), for their different reasons. Former Ba'athists oppose it because it has deprived them of participating in the political life and management of the country as well as excluding a large proportion of them form earning a living as state employees. Sunni politicians disagree with the very principle of political exclusion and have called for abolishing the law and the removal of all its consequences. They also believe it was applied in a sectarian way since it targeted them more than

[904]   Ibid
[905]   Ibid.p306
[906]   Bremer-(2006)-op.cit.p49

others.

In addition, many Shia disagree with it on a matter of principle as we saw earlier, and even those who believe it was right to introduce it, such as Paul Bremer, Ibrahim Al-Haidari, and Hussein Al-Hindawi, say there were serious errors in its application. Others, such as Maysoon Aldamluji, Kamal Field and Akeel Abbas, believe it's time to depart from the politics of exclusion.

Deba'athification alienated a large portion of Iraqi society from the political process and barred the most experienced managers from participating in building the new state. It was unfair and it established a precedent for an unfair treatment of the state to a section of its population. This has weakened both the state and democratization and caused discord among Iraqis and contributed to the destabilization of the country. It has become a serious impediment that has to be removed if democratization is to succeed in Iraq.

2

Disbanding the Iraqi Army and police

The second order that the US civilian administrator had issued was an order to disband the Iraqi army. The 715,000 men-strong Iraqi army, together with other security apparatuses.[907] One US official commented on this decision 'that was the day we made 450,000 enemies in Iraq'.[908] Larry Diamond estimates that over a million more people would be affected if their dependents were counted.[909] That decision created massive unemployment and unnecessary hostility to the new regime among so many people.

Had the army remained in place, or called up to duty under a new command after the fall of the regime, it would have acted as a formidable force to enforce law and order and give the state the reverence it needed among the population. Instead, US and Iraqi officials and institutions relied on private security companies where there have

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[907]   Ibid.p26
[908]   Diamond-(2005)-op.cit.p39
[909]   Ibid

been an estimated 30,000 private contractors working in Iraq in 2004.[910] According to some data, this number has increased in later years and the number of Pentagon-funded contractors in Iraq was 162,428 in July 2008.[911]

The old Iraqi army, as Bremer acknowledged,' had some true professionals, and partly for that reason, was distrusted by Saddam'.[912] But it was 'self demobilized' according to the Pentagon after the fall of the regime.[913] 'At liberation, there was not a single Iraqi military unit standing intact anywhere in the country'.[914] The American plan that Gen. Jay Garner was going to implement after the fall of the regime was apparently not to keep the army in place. They planned to employ most of Iraqi soldiers, some 400,000 'Shia soldiers', in construction projects in order to get a living wage.[915] Later on, Bremer acknowledged the need for an Iraqi army; 'we have to find some place in Iraqi society for former soldiers'.[916] But he admitted that bringing back the old Iraqi army would 'run against major policy and practical obstacles'.[917] In fact he called it 'Saddam's army' and considered it as part of the instruments of repression, alongside the infamous *Mukhabarat* security services and BP.[918]

Security in Iraq was almost non-existent after the fall of the regime and the disappearance of its security apparatuses, including BP, which had a security role. There was almost no presence to be felt for a government in the country, with the exception of US tanks and troops who didn't actually perform any policing duties, nor were they trained or qualified to do so. This was acknowledged by US officials, who realised later the need for Iraqi police officers to go back to their posts as well as bringing in US military police to guard Iraqi police stations. Around mid May 2003, over a month after the fall of the regime, Paul Bremer, asked the US deputy

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[910]   Patrick Radden Keefe-Iraq: *America's Private Armies*-quoted by Eric Hobbsbawm-*Globalization, Democracy and terrorism*-Abacus-2007-p37
[911]   Marcus Weisgerber-Defense One-*Back to Iraq: US Military Contractors Return In Droves*-23/11/2016: https://goo.gl/PKKbyf
[912]   Bremer-(2006)-op.cit.p52
[913]   Ibid.p27
[914]   Ibid
[915]   Ibid.p26
[916]   Ibid.p54
[917]   Ibid.p53
[918]   Ibid.p54

commander, General John Abizaid, to send more military police (MP) to perform security duties as Bremer put it.[919] Bob Gifford, US advisor to the Iraqi interior ministry, had explained the deteriorating security situation in the country to the new administrator. 'Whatever law and order that existed under Saddam has broken down completely' Gifford told Bremer in his first meeting with him in May 2003.[920]

After April 9th, chaos and looting was the order of the day and world media had widely reported the looting that took place across Iraq. US Secretary for Defence, Donald Rumsfeld, was alarmed by the numerous reports of looting and violence which overtook any other news on the US victory in Iraq. But Rumsfeld dismissed it as just 'Henny Penny. The sky is falling'.[921]

But it was a fact; chaos and looting were widespread across Iraq. According to Iraq's former defence minister, Ali Allawi, 'nearly every ministry and state institution, including the national museum, were looted and then burnt down'.[922] Looting was unchecked for at least three weeks, according to Gifford. 'It had destroyed many of the government buildings in Baghdad. Only the Oil Ministry was spared because American troops had been ordered to guard it'.[923]

The Iraqi police were nowhere to be seen in the streets. 'They disappeared, like the army' Gifford said.[924] Violent crime was increasing including armed robbery, kidnapping, sexual assaults and murders. The criminals were armed with heavy weapons such as RBGs and AKs since all buildings associated with the army and intelligence agencies were looted and demolished across the country according to Gifford.[925] Disbanding the Iraqi army left a dangerous security void that was quickly filled by enemies of the new political order.[926] Even the UN compound, in the Canal

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[919]   Ibid.p32
[920]   Ibid.p18
[921]   Ibid.p14
[922]   Allawi-(2007)-op.cit.p94
[923]   Bremer-(2006)-op.cit.p18
[924]   Ibid.p19
[925]   Ibid.
[926]   Adeed Dawisha-'*Iraq: A Political History from Independence to Occupation'*-Princeton University Press-(2009)-p2

Hotel, was lightly-protected. This lack of security caused the UN to move its mission to Jordan after it was bombed on 19th August and 22 of its staff, including UN envoy, Sergio de Mello, were killed. [927] That was a serious setback in the efforts to establish a democratic system in Iraq.

The US forces in Iraq were insufficient to keep the peace in the country. Estimates by military experts such as Gen. Eric Shineski, put the number of troops required to pacify and control Iraq properly at 500,000.[928] In fact Paul Bremer himself admitted ten years later that the US made strategic mistakes in Iraq; one of them was keeping insufficient number of troops. He estimated the required number to be 400,000.[929]

More troops would have improved security in Iraq and at the same time made it easier for pro-democracy forces to have a better chance of succeeding in their efforts to establish a viable democracy and enhance their positions in the new order. According to Ali Allawi, 'A larger force would have given the coalition's local proxies the wherewithal to at least face up to the challenge of the Islamists more forcefully'.[930] Islamists filled the vacuum left after the fall of the regime, and 'nearly all administrations that had been put in place after the war in southern cities and Sadr City in Baghdad, fell apart and power seeped to the newly emergent Islamists and their local allies'. [931]

With high crime rate, no effective government that can enforce law and order and the existence of many power centres supported by armed militias, it's really difficult to establish democracy since 'a democratic government needs to be able to exercise effectively its claim to the monopoly of legitimate use of force in a territory'.[932]

Paul Bremer acknowledged this difficulty. 'We are not going to rush into elections since Iraq has none of the mechanisms needed for elections- no census, no electoral

[927]   Ibid.p46

[928]   Allawi-(2007)-op.cit.p91

[929]   Paul Martin, interview with Paul Bremer, The Independent, 18/3/2013-op.cit.

[930]   Allawi-(2007)-op.cit.p91

[931]   Ibid

[932]   Linz& Stepan-(1996)-op.cit.p11

laws, no political parties and all the related structure we take for granted'.[933]
However, the US did proceed with elections on 30th Jan 2005 without achieving any
of the above requirements that Bremer stated from the outset.

Bremer, comparing Iraq to Germany and Japan, admitted that the US and its allies
have not taken a job this big ever since the end of WW2.[934] He also acknowledged
the need for political structures for democracy to work. 'Let's keep in mind the
lessons of Germany and Japan. Democracies do not work unless the political
structures rest on a solid society… political parties, a free press an independent
judiciary, open accountability for public funds. These are society's shock absorbers.
They protect the individual from the state raw power.'[935] It's clear that the necessary
ingredients for democracy to stand up were not there.

America's Iraqi allies were weak due to the lack of US forces to back them up, while
their Islamic rivals were strong with armed militias to establish their authority.
Although the US had warned Islamic militias not to enter Iraq and get organised
forces and if they did they would be treated as combatant[936], that warning was not
heeded, they did get organized forces, although 'they remained undetected by
officials appointed by the occupying authorities'.[937] Why were the US forces unable,
or perhaps unwilling, to detect those organised forces is another mystery, but it's a
failing by all accounts.

Professor Ahmed Hashim is critical of the US counter-insurgency campaign and he
blames it for playing "a key role in the outbreak and perpetuation of the
insurgency."[938] He accused US decision-makers of "rigid and inflexible ideological
approach" which undermined the chances of implementing policies vital in any
successful counterinsurgency strategy. Policies such as measured reactions and
minimal use of force, political responses, integrated civil-military operations and

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[933]   Bremer-(2006)-op.cit.p19
[934]   Ibid.p17
[935]   Ibid.p19
[936]   Ibid.p90
[937]   Ibid.p91
[938]   Hashim-(2006)-op.cit.p275

rectitude towards civilians and prisoners have been largely absent from the US efforts to suppress the insurgency.

Disbanding the Iraqi army was a blunder with disastrous consequences on the political process and was clearly an impediment to establishing a strong democratic system with the tools to enforce law and order and support a democratic government strong enough to impose its authority on all citizens and treat them on equal basis. It left the state very weak while Islamist parties, all of which had armed militias, were in a very strong position. They became the only political broker in the country with the tools to enforce their agenda and the ability to protect the areas they control and impose their will on the whole country in the end.

People could clearly see that the only political forces on the ground with real power were the Islamists. This persuaded them to deal with them, accepting their authority and voting for them in elections. As we have established earlier in the study, Islamist do not necessarily believe in democracy nor in a modern state. They look up to Iran for emulation and support, not western democracies.

3
Unsuitable Electoral System

The first Iraqi electoral system according to which the first elections were conducted was proportional representation (PR) where the whole of Iraq was one constituency. But the system was changed in the National Assembly after Islamists won the elections to multiple constituencies but with stipulations to guarantee representation for minorities. PR is the 'most widely used set of electoral systems in the world, and its variants can be found at some level of government in almost every country (including the United States, where some city councils are elected using forms of PR)'.[939]

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[939]   Charles King-George Town University-(2000):
http://faculty.georgetown.edu/kingch/Electoral_Systems.htm

The electoral system was changed several times but the changes were all in favour of big parties who are able to basically send unelected persons to parliament while those who get thousands of votes do not become members of parliament. This has made it very difficult for small parties and political minorities to get any representation at all. The list led by Mr Sharwan Al-Waeli, got three seats in the local elections in the province of Thiqar, because the electoral system was Saint Lague (SL), but the same list failed to get any representation in the national elections of 2014 because they were conducted according to Modified Sainte Lague (MSL).[940]

Reidar Visser, a political analyst and researcher, says 'modified Sainte-Laguë "gives bigger parties more advantages than a pure Sainte-Laguë would give'. In addition, he believes that Iraq 'has created its own version of modified Sainte-Laguë'.[941]

Mr Al-Wa'eli calls for more enforceable regulations for elections in order to commit candidates and parties to abide by the law. The 'current law states that no religious symbols, photos, places of worship or state institutions can be used for electoral purposes'. But these conditions were all violated, he says. 'Some parties spent billions (of Iraqi dinars) and no one asked them where they got the money from'.[942]

Many politicians and intellectuals are calling for a new electoral system that only allows secular parties to operate believing this to be in the best interest of the country. Dr Akeel Abbas affirms 'an electoral system that includes only secular parties is definitely better for the country. Without secular parties that transcend sects and ethnicities, Iraq will continue to be prey to sectarian and ethnic strife. Sect-based parties, by their nature, are not pluralistic and have in mind the interests of their sect followers'.[943] Bassim Anton argues an electoral system that 'allows only secular parties to be active in politics is better for the country than a system which permits religious parties which might appeal to religious sentiment or provoke

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[940]   Appendix-1, p72

[941]   Mustafa Habeeb- New Iraqi Electoral Law has Many Holes-Niqash-14/11/2013:
http://www.niqash.org/en/articles/politics/3327/

[942]   Appendix-1, p74

[943]   Appendix-1, p87

sectarian loyalties'.[944]

Dr Kadom Shubber, who styles himself as 'Islamic liberal' is also critical of the electoral system which he says 'gave the impression of being half-baked and primarily benefiting those already clinging to political and financial power'.[945] He blames the 'backwardness' of the electorate who have 'little sense of the major factors such as economic variables, international relations, public services, education, and the security problem'. This has led to voting practices being influenced by the "big boys" and these were party bosses, religious scholars or tribal chiefs, he avers.

Some electoral systems such as First Past the Post (FPP), generates 'unearned majorities out of minority electoral support'.[946] MSL, as applied in Iraq, allows non-elected persons to represent people in parliament while it excludes popular individuals from representing their constituents. Jassim Al-Hilfi, a candidate for the Civil Democratic Alliance-CDA), got over 16000 votes in Baghdad in 2014, yet he didn't become an MP, while others made it to parliament with just 2000 votes.[947] Mr Al-Hilfi is now campaigning to reinstate the PR system in cooperation with ST 'in order to put an end to the current unjust law that was enacted to benefit only the large blocs' as he told Al-Monitor magazine.[948]

Since the first elections of 2005, the electoral system was changed in every election and big parties manipulated it in their favour. They have sent candidates to parliament who haven't won while others who have got thousands of votes were barred by the system such as Ms Haifa Al-Ameen in Thiqar and Mr Jassim Al-Hilfi in Baghdad, both belonging to the secular CDA.[949] The electoral system is clearly an impediment to democracy since it's not perceived as fair by large sections of the political society, especially smaller parties, and it doesn't give people in the

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[944]   Ibid, p101
[945]   Ibid, p40
[946]   Przeworski-(1991)-op.cit.p28
[947]   Mithal Al-Aloosi- CDA's number of Seats isn't Fair-Alghad Press-20/5/2014: https://goo.gl/YQCP5I
[948]   Omar Sattar-Al-Monitor-10/10/2016: https://goo.gl/X0ZO7G
[949]   IHEC-election results-2014

opposition any hope of winning in the future. Secular INC, for example, had to join forces with Islamist SIIC, RT, ST and IFP in order to win. PR system is perceived to be fairer and it allows people across the country to vote for their preferred list. It also promotes a national agenda rather than regional or sectarian one.

4
Partisan Election Commission (IHEC)

Many in Iraq accuse IHEC of being biased since all its members are appointed by major parties. The former president of IHEC, Dr Hussein Al-Hindawi, asserts that IHEC is now controlled by political parties and this distances 'the democratic process from propriety and integrity'.[950]

Former national security minister, Mr Sharwan Al-Waeli, who leads an election list, asserts that partisan electoral commission cannot be fair. He charges that 'vote-rigging took place in the last elections more than any other elections and I am a witness to it'. He attributes this to a weak electoral commission. 'When the electoral commission becomes strong and not subject to blackmailing, it would not matter even if the governing party is contesting the elections'. [951]

He is skeptical about IHEC's independence. 'The loyalty of IHEC's members was to the influential parties who are participating in the government, that's why IHEC is now restricted'. He regards the first IHEC (of which Dr Hindawi was the president and Dr Ayar a spokesman) as stronger and more independent because it was formed by the UN. [952]

Dr Faleh Abdul-Jabbar regards independent commissions as part of the new division of authority in modern countries, added to the classical division of authority. 'This is the power of independent commissions'. He blames the Iraqi Federal Court for

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[950]   Appendix-1, p50
[951]   Ibid
[952]   Ibid, p74

effectively 'abolishing' the independent commissions and regards this role as 'disabling to democracy'.[953]

Sami Al-Askari believes IHEC was never Independent. 'Once it got out of the control of UNAMI and US embassy, it entered into partisan quotas. IHEC's former and current members were candidates of political blocs and they represent the interests of their blocs when taking decisions'.[954] Hamdya Al-Husaini was an IHEC commissioner for two terms (2004-2012).[955] She is now MP for the Citizen's List. Qassim Al-Abboudi, was IHEC commissioner 2008-2013.[956] He is now MP for Badr Organization which is part of SoL.[957] Faraj Al-Haidari was the IHEC's president-(2008-2012).[958] He was a member of KDP.[959]

Przeworski (1996) states that 'democratic institutions must be 'fair': they must give all the relevant political forces a chance to win'... they must also be effective: 'They must make even losing under democracy more attractive than a future under non-democratic alternatives'.[960] The current IHEC is neither fair to all, because it's partisan, nor effective because it has not prevented vote-rigging.

Since Iraq has a diverse society, ethnically, culturally and religiously, as well as deeply divided on major issues, elections must be conducted in the highest possible degree of transparency and integrity in order to strengthen people's trust in the results of elections and adherence to the laws and regulations. This requires an IHEC that is not only really independent, but also seen to be independent by participants and voters alike.

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[953] Ibid, p28-29
[954] Ibid, p21
[955] Rudaw-10/5/2016: http://rudaw.net/arabic/middleeast/iraq/1005201613
[956] Telegraph-18/11/2009: https://goo.gl/eOluO9
[957] Baghdad Times: https://goo.gl/mEZQKY
[958] NY Times-16/4/2012: https://goo.gl/pCL3ll
[959] IWPR-IHEC Under Fire-August 2009: https://goo.gl/zX7K0z
[960] Przeworski-(1991)-op.cit.p33

5

Ambiguous & Rigid Constitution

The constitution was written and ratified in six months and many experts believe it was rushed and not conducive to democratic consolidation due to ambiguities, contradictions, vagueness and religious, ethnic and administrative restrictions. Although constitutions are generally compromises between political parties and obstacles can be overcome if there is a political will, they can be problematic if society is deeply divided.

The Iraqi constitution was written after it was clear that the power relations between different political groups were in favour of the Islamists who had won massively and were, thus, able to include what they wanted in it. Stable constitutions are the ones written when the power relations between different political forces are not settled in favour of some forces at the expense of others. These constitutions are likely to emphasize rights of minorities and give guarantees to potentially weak political forces and reduce the stakes of competition. They are more likely to induce losers to comply with the outcomes of the democratic interplay and are more likely to be stable constitutions.[961]

Faleh Abdul-Jabbar contends that the current constitution is an impediment to democratization. 'Many articles in the constitution impede democracy… article (2A) that says 'No law may be enacted that contradicts the established provisions of Islam' contravenes another article (2B) which says 'No law may be enacted that contradicts the principles of democracy'. Abdul-Jabbar finds it bizarre that the constitution has a stipulation that forbids the issuing of laws that contravene Islam. He charges there is a legal vacuum in the constitution since there are at least 58 articles that need to be regulated by law. Abdul-Jabbar, with 19 other writers, have written a book in Arabic which discusses the problems in the constitution.[962] On a

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[961]   Przeworski-(1991)-op.cit.p88

[962]   The Constitution's Dilemma-Institute of Strategic Studies-Beirut-2006

positive note, Abdul-Jabbar argues the constitution would have been more extreme if it was left to Islamist parties to write, but ayatullah Sistani stood in their way.[963]

Dr Akeel Abbas argues article 2(A&B) is self-contradictory because 'it tries to reconcile irreconcilable contradictions'.[964] 'Democracy and religion belong to diametrically opposed orders of reality'. 'The former is based on debate and questioning that leads to following the opinion of the majority, while protecting the rights of the minority whereas the latter is based on holy texts that accept no debate or questioning and pay no attention to the opinions of the majority or minority', he explains. He is confident the article 'causes conflict instead of establishing balance.

It also gives a disproportionate role to the clergy as the interpreters of religious texts, whereas there are no codified democratic ideas or texts that can be resorted to'. Hussein Al-Hindawi argues the group the Americans handed power to, or those they dealt with, 'were totally ignorant in law, even in Islamic law'. None of them was like (Ayatullah) Hussein Na'eeni who proposed a constitution to limit the authority of the ruler'.[965]

Ayad Allawi regards the constitution as an impediment of democracy. 'It was written in 2-3 months and an authoritarian regime is developing out of this democracy' he charges.[966] Maysoon Aldamluji reveals that on a number of occasions, Islamist parties attempted to impose Islamic rulings, like banning the sale of alcohol or replacing the Personal Status Law with Islamic jurisdiction (Sharia). 'Every time they did this, they used clause-(A) of article-2 of the constitution as reference. Clause-(B) of article-2 was no deterrent, as there is no text to refer to'.[967] Only public resistance, backed by the Marji3iya in Najaf, stopped those attempts. Imposing Sharia law on the country is not democratic nor is restricting people's rights and freedoms.

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[963]   Appendix-1, p30
[964]   Ibid, p138
[965]   Ibid, p49
[966]   Ibid, 32
[967]   Ibid, p125

Abdul-Khaliq Hussein believes the constitution is democratic but with defects.[968] Bassim Anton regards the constitution as one of challenges facing democracy because it is brittle and vague and this 'renders it subject to different interpretations'.[969] Sami Al-Askari, who was a member of the National Assembly that wrote and approved the constitution, acknowledges there are restrictions imposed on the constitution, but they are 'an embodiment of the culture of society in its current stages. On the one hand it preserves the constant features of Islamic culture, and on the other, it is committed to the criteria of the democratic system'.[970]

Dia Shakarchi, who was a member of the constitutional drafting committee in the National Assembly, says the gap between him and members of UIA was widening due to 'their strict Islamism and their insistence on emphasising their Shia sectarian identity and their attempt to add as much as they can of religious and sectarian colour to the constitution'.[971] Constitutions that are observed and last for a long time are those 'which reduce the stakes of political battles. Pretenders to office can expect to reach it while losers can expect to come back'.[972] Napoleon was alleged to have said that constitutions that can last are the ones which are 'short and vague'. They only 'define the scope of the government and establish the rules of competition leaving substantive outcomes to the political interplay'.[973] But the Iraqi constitution was clear regarding restrictions but ambiguous with rules and rights.

It is difficult to amend the constitution since this requires consensus among the three main components (Shia, Sunni and Kurds). Any constitutional amendment requires the non-opposition of two thirds of the electorate in three provinces according to article 142-fourth.[974] This would be very difficult requirement to meet. This stipulation was inserted by the Kurds in the TAL. It was also adopted in the permanent constitution. It may be advantageous for the Kurds, it blocks any amendment they

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[968]   Ibid, p95
[969]   Ibid, p103
[970]   Ibid, p25
[971]   Ibid, p62
[972]   Przeworski-(1991)-op.cit.p36
[973]   Ibid
[974]   Iraqi Constitution: http://www.iraqinationality.gov.iq/attach/iraqi_constitution.pdf

disapprove of, but it's a disadvantage for the country.

Successful democracies are those where the institutions make it difficult to fortify a temporary advantage. [975] This advantage that the Kurds have gained during times of disunity and ambiguity is being fortified by this stipulation in the constitution which makes it almost impossible to amend the constitution since the Kurds would never agree to removing it.

A stable democratic government must have two opposing characteristics. It must be 'strong enough to govern effectively but weak enough not to be able to govern against important interests'.[976]

It's clear that the current Iraqi constitution is one of the impediments to the consolidation of democracy because it is advantageous to the Kurdish minority and Islamists parties. It cannot be amended and it has articles that threaten civil liberties and freedoms which form the basis of a consolidated democracy.

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[975]   Przeworski-(1991)-op.cit.p36
[976]   Ibid.p37

Chapter 11

Exogenous Factors

1

Weak Sponsor Commitment

Among the impediments to democracy in Iraq is the lack of commitment by the main sponsor for democracy, the United States. Although the US has tried to establish a truly democratic system, it had weak plans and no effective partners in Iraq to help build such a democratic system. Many of the secular elite who should have been natural partners of the US, blame the failure of the democratic experience on the lack of resolve by the US to back with vigour the establishment of a genuine democratic system.

Initially the Americans appointed a US general, Jay Garner, who lacked deep knowledge of Iraqi politics and culture as head of an organization that was tasked with overseeing the transition into democracy. Garner mishandled the whole thing and in the words of Larry Diamond, 'cut a poor image for the United States'.[977]

The US then went to the UN and obtained Resolution 1583 which recognised it as an occupying force. The idea of occupation didn't go well with Iraqis. It led many of them to believe that the US was not really serious about democracy since democracy and occupation do not go together. At the beginning, many Iraqis (43% according to one survey) saw the Americans as liberators. But six months later, two thirds of Iraqis saw coalition forces as occupiers.[978] The UN was against the idea of occupation and it tried hard to convey this to the US administration to allow an interim Iraqi government, but to no avail.

The CPA used the UN as a cover of legitimacy but it didn't listen to it after it

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[977]   Diamond-(2005)-op.cit.p32
[978]   Ibid.p51

approved the formation of the Governing Council. The UN envoy, Sergio De Mello, was very frustrated and bitter before he was killed in an attack on the UN headquarter in Baghdad on 19th August 2003.[979] The compound, in the Canal Hotel, was lightly-protected.[980] That drove the UN to move its UNAMI mission to neighbouring Jordan after it suffered 'the most devastating tragedy in its history'.[981]

A strong and leading UN role in the political process would have enhanced Iraqi and Arab popular belief that the democratic change was serious since it had international backing. Iraqis' faith in the US was seriously shaken after their *intifada* against Saddam Hussein in 1991 when the US called upon the Iraqi people to 'take matters into their own hands and force Saddam Hussein, the dictator, to step aside' but only to abandon them to their fate.[982]

It was clear the Islamists, some of whom the US had sought hard to assemble in the London conference in Dec 2002 and later in the governing council in Jul 2003, were intent on establishing an Islamic state rather than a democratic one. Ayatullah Baqir Al-Hakim, the leader of SCIRI, made this clear upon his arrival in Najaf in May 2003. He called for a 'constitutional government where Islamic values and precepts would be honoured'.[983] He spoke of a tolerant and just society, but in Islamic rather than democratic or secular terms.

Ahmed Al-Chalabi, a leading secularist who supported US efforts to topple the regime, and some have even attributed the US involvement in Iraq to his efforts and dubbed him as the man 'who literally changed the world',[984] complained to the British that the Americans had too many Islamist candidates for the Governing Council.[985] This long-time ally of America was forced to move into open opposition to them in

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[979]   Ibid.pp55-57
[980]   Ibid.p46
[981]   Ibid.p58
[982]   Ibid.p123. For the Iraqi 1991 *intifada*, see *Routledge Handbook of the Arab Spring*-(2014)-(ed. Larbi Sadiki- Chapter-35)
[983]   Allawi-(2007)-op.cit.p111
[984]   Aram Reston-'The Man Who Pushed America to War'-Nations Books-(2008)-p.xi
[985]   Bremer-(2006)-op.cit.p89

2003.[986] In fact he was accused in April 2004 of forging Iraqi money, even though he was the head of the Governing Council's Finance Committee. In August 2004, he was accused of passing US secrets to Iran and giving flawed information to Americans, and arrest warrants were issued against him and his assistant and nephew, Salem Chalabi.[987] They were later acquitted of all charges.

Chalabi was secular and 'better known for love of all things western', using Bremer's description, yet the US failed to keep him an ally.[988] Their other important ally, Ayad Allawi, who was chosen as interim PM, also complains and scorns at Americans' lack of support for democracy. He blamed the US occupation of Iraq and the decisions made by the Americans such as 'Deba'athification, disbanding the state (army and police)', for the failure of democracy in Iraq.[989] His party even accused Americans of supporting Islamist parties, rather than democratic ones as its spokeswoman, Maysoon Aldamluji clearly told this study. She was convinced that Islamist parties 'enjoyed Western and regional support'.[990] 'The Bush administration gave weight to Islamic parties in forming the Governing Council, and abided by the views of the Shia religious leadership (*Marji3iya*) in drafting the constitution. Even the timing of the first elections was obviously in favour of Islamic parties' she avers.[991]

The choice of Paul Bremer to lead Iraq was considered a mistake since he was not an expert on Iraq as he publically acknowledged. He had no prior involvement in the Iraqi crisis and this was apparently one of the reasons why he was appointed.[992] He even regarded his experience as Ambassador to Malawi and Afghanistan as relevant to Iraq.[993] Other CPA senior staff were not much better in their understanding of Iraq.

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[986]   Ibid.p88

[987]   David Holly-'*Arrest Warrant issued for Chalabi*'-LA Times-9/8/2004: http://articles.latimes.com/2004/aug/09/world/fg-warrants9

[988]   Bremer-(2006)-op.cit.p90

[989]   Appendix-1, p32

[990]   Ibid, p76

[991]   Ibid

[992]   Allawi-(2007)-p106

[993]   Bremer-(2006)-op.cit.p90

CPA advisor for 'religious affairs', Hume Horan, was criticised for his impractical ideas about Iraq's future role. Horan 'mused about the possibility, and desirability, of an Iraq, Israel, democratised Iran and Turkey axis at play in the Middle East, a vision fully endorsed by the neoconservatives in Washington'. 'Such an axis would act as an exemplar to the rest of the Arab world'.[994] Ali Allawi called it 'jaundiced reasoning, based on ideology-driven motives and a selective reading of history was very prevalent in Baghdad in the early days of CPA'. 'It conveniently underplayed the significance of tendencies and actual events that fell outside the framework of analysis'.[995] The huge US military power and influence were not used effectively to support democracy.

Larry Diamond, who was advisor for democracy to CPA, reported that many Iraqis were worried that the US would walk away after the transfer of power on June 30th 2004 and he assured them 'from my deepest conviction, this won't happen'.[996] He reported that one enlightened cleric in Babylon, Farqad Al-Qizwini, implored him as he was leaving the province; 'Remember, you said you would be with us until the end'.[997] This shows that people were worried that the US would abandon the democracy project. They didn't really believe the US was serious about democracy in Iraq and were worried it will walk away. Qizwini was part of an American intellectual, theological and political effort to reconcile Islam and democracy which Diamond describes as 'bold'.[998] He is known for his liberal Islamic views and he was a natural ally for the US and democratic forces. Yet, the Americans yielded to pressure from SCIRI and didn't include Qizwini in the Governing Council because 'he was too liberal for their tastes'.[999] SCIRI had vetoed the inclusion of other Shia liberals according to Diamond. Despite their military might, the Americans showed weakness before Islamists parties to the determent of democratic forces.

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[994]   Allawi-(2007)-p109
[995]   Ibid
[996]   Diamond-(2005)-op.cit.p123
[997]   Ibid.p125
[998]   Ibid.p117
[999]   Ibid.p42

MP Sami Al-Askari argues that the US 'had unlimited possibilities to interfere since it had over 100,000 soldiers on the ground'.[1000] Even in 2010, Al-Askari says that the US 'secretly supported and encouraged the secular 'Iraqia List' to form a government and take away the leadership of the government from Islamist 'SoL'.[1001] However, this didn't happen and the US in the end backed a second term for Maliki.

MP for CDA, Miss Shorouq Al-Abayachi, charges 'the Americans weren't really serious about establishing democracy in the whole area'.[1002] She catalogues her evidence on why she believes in this scenario. 'The Americans declared Iraq as the first front for fighting terrorism in order to protect America'. She contends this has helped to spread the phenomenon of 'militarism and weapons and led to the weakness of the law and state control and spread of militias and armed groups outside the control of the state'.'Iraq was turned into an arena for regional and international conflicts which contributed to most of the country's current ills: the failure of building the Iraqi state according to a specific national identity; the control of the state by Islamist parties which govern on the basis of sectarianism; the disappearance of the middle class and the advent of a class of warlords steeped in militarism and corruption; the spread of illiteracy, ignorance and poverty in a big way among Iraqis; and the spread of corruption'. [1003]

Ms Al-Abayachi blames Americans for all that and she explains why. 'They could have protected Iraqi borders instead of opening Iraq as a basic front for fighting terrorism, inviting all terrorists of the world to Iraq in order to fight them. They shouldn't have put Iraq under occupation, instead, they should have formed a national transitional government that introduces a transitional programme for three years at least based on the removal of the effects of the Saddam totalitarian regime and preparing the way for real democratic elections under full international supervision. They should have achieved the project of Iraqi reconstruction without

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[1000] Appendix-1, p20
[1001] Ibid, p21
[1002] Ibid, p106
[1003] Ibid

corruption and disputes between the State Department and the Pentagon. They should have respected the dignity of the Iraqi people before anything else'.[1004]

These are the possible options Ms Al-Abayachi believes the Americans could have done to save democracy. Some points, such as not backing democratic forces and forming a transitional government for a longer period of time, are shared by others.

Ali Allawi stated that 'the inability of the coalition to impose law and order created another set of problems that gave rise to wide-scale human rights abuses'. There were reports of politically motivated killings which targeted the known members of the former security apparatus.[1005] Allawi reveals that the politically motivated killings in Baghdad alone reached several hundred in May 2003. What is shocking is that 'religious leaders appeared to sanction the killings'.[1006]

The campaign of killings got wider and wider. 'By June 2003, the killings began to include academics, artists, bureaucrats, teachers, journalists, and professionals who were not seen to be part of the regime's control and repression'.[1007] This chaotic situation that followed the fall of the regime was acknowledged by Paul Bremer himself.[1008] He even asked for extra US military police to patrol Iraqi streets.[1009]

MP Adnan Al-Janabi, blames the US for dismantling the Iraqi state 'with disastrous consequences'. 'The Americans didn't come to build, instead they demolished an existing state' he charges.[1010] Akeel Abbas lists American failure as one of the reasons for the failure of democracy in Iraq. 'The initial US failure in keeping the peace and restoring basic services has given a strong and lasting impression that democracy does not work, giving rise again to the familiar anti-democratic

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[1004]   Ibid, p107
[1005]   Allawi-(2007)-p144
[1006]   Ibid.p145
[1007]   Ibid
[1008]   Bremer-(2007)-pp18-19
[1009]   Ibid.p32
[1010]   Appendix-1, p99

desire/theme of the strong man as the saviour'.[1011]

Dr Hussein Al-Hindawi argues that the American call for democracy in 2003 was false. He repeats 'there was no truth in their call for democracy. Building democracy doesn't depend on Ahmed Al-Chalabi, for example'.[1012] He blames the Americans for a number of mistakes. Firstly, they were 'listening to what Najaf was saying' when writing the Iraqi provisional constitution in 2004. This view is shared by Maysoon Aldamluji. He also blames the Americans for handing power over to a group of Iraqis who 'were totally ignorant in law, even in Sharia law'. He argues that 'none of them was like (Ayatullah) Hussein Na'eeni who proposed a constitution to limit the authority of the ruler' in the early 20th century.[1013]

Maysoon Aldamluji also blames Americans for their lack of support for democracy.[1014] Dr Fareed Ayar even accuses Americans of corruption and lack of support for democratic forces in the country.[1015]

Samir Sumaidaie, however, contends Americans have made efforts in the direction of building a democracy but he blames others for standing in the way of these efforts. 'The effort made by the Americans to help install democratic structures such as a constitution and elections etc. were hijacked, sabotaged, and used (by Shia Islamists) as a stepping stone to jump to a position of power. Once that was achieved, power was consolidated using non-democratic means' he reveals.[1016] The question is how can this be hijacked from a superpower that everyone fears and reveres, especially when it had an advanced army of 130,000 soldiers on the ground?[1017] Although it's true the Americans have made efforts to create a democracy in Iraq, these efforts were not enough to establish a strong democracy.

[1011]   Ibid, p89
[1012]   Ibid, p48
[1013]   Ibid, p49
[1014]   Ibid, p77
[1015]   Ibid, p85
[1016]   Ibid, p11
[1017]   Total number of coalition troops was 170000-(Bremer-(2006)-op.cit.p4). The number of American troops was 130,000 of that total-(CNN-28/3/2003):
http://edition.cnn.com/2003/WORLD/meast/03/27/sprj.irq.war.main/

Prominent author, Kanan Makiya, admits the US role was diminishing gradually in Iraq but he blames Iraqi politicians. 'The US departed because the Iraqi political parties and the political class turned their back to it. It could have contributed to the development of Iraq economically, culturally and scientifically', but it had to leave because most politicians were reluctant to support its presence in Iraq.[1018] Most of those who blame the Americans are secular and closer to the democratic project than Islamists who blame the Americans for everything else except building a democracy.

Ali Allawi blames the confusion over plans for the governance of Iraq on the US administration's 'lack of clarity about its intentions in post-Saddam Iraq'. He notes that 'by the time the military option appeared to have been definitely selected, it was too late to start seriously thinking about the administration of a post-war Iraq'.[1019]

Larry Diamond also acknowledges that the US invaded Iraq without 'coherent, viable plan to win the peace', although he contend there was preparation and the State Department planed for the Iraqi transition in Oct 2001in what was called then 'the Future of Iraq Project' which produced the 'The Transition to Democracy in Iraq' report.[1020] But the report, according to Diamond, didn't offer a 'coherent or finished blueprint for the post-war political order', although he believes it produced a 'viable strategy for filling the vacuum of authority'. [1021]

But the US administration was not the only one at fault, according to Ali Allawi, who also apportions blame to the Iraqi opposition for not having formulated a unified vision for post-Saddam Iraq. Allawi, refers to the 'Transition to Democracy' report, compiled by the Democratic Principles Working Group-DPWG- and edited by the lawyer, Salem Chalabi, and the academic and author, Kanan Makiya, both of whom were close to INC. He argues this report, which is close to the thinking of the Pentagon, was 'the most complete statement of what the liberals and westernised

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[1018]   Ibid, p46
[1019]   Allawi-(2007)-op.cit.p84
[1020]   Diamond-(2005)-op.cit.p27
[1021]   Ibid

groups within the Iraqi opposition sought for Iraq's political future'.[1022]

Allawi also mentions that some voices within DPWG criticised Makiya's attempt to 'present the report as a collective effort and refused to acknowledge it as more than the work of fringe elements'. He quotes Ghassan Al-Attiyya, whom he described as an 'important political thinker', as saying that 'the transitional authority would depend on the way the regime was overthrown. If it were under some UN approval, the UN would have the final say on the nature of Iraq's transitional authority. If it was the result of a unilateral action by the Anglo-American coalition, the coalition would be the arbiters of the transitional authority'.[1023] Since the removal of the regime was done without UN approval, it means that Al-Attiyya puts the responsibility of what happened next in Iraq squarely on the US and UK.

Allawi classifies Iraqi opposition members participating in the London Conference in 2002 into three groups. The first are 'idealists' who congregate around Ahmed Chalabi. Their chosen vision for post-Saddam Iraq was the 'Transition to Democracy Report' and their tactic was to have the conference adopt it. The second was comprised of the 'realists' who represented the views of the US administration which needed an Iraqi cover for the evolving plan to attack Saddam. No commitment would be made at the conference beyond general statements of encouragement for democratic rule and respect for civil and human rights. It was clear at that point, in Allawi's view, that Washington was not going to hand power over to the Iraqi opposition since it was divided and didn't merit US support.[1024]

The third trend at the conference was the leaders of the opposition parties who had diverse expectations as to what they wanted to achieve as far as their own narrow interests are concerned. Washington held little expectation for the conference but this didn't stop the main opposition groups from using it as a platform to cement their control over the political process and forming a mechanism for coordinating with the

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[1022] Allawi-(2007)-p84
[1023] Ibid
[1024] Ibid, p85

US in the run-up to the war.[1025] Some groups, such as the SCIRI, had feared it would lose out under an American military government.

The US administration was against the idea of forming a provisional Iraqi government, which was favourable to opposition groups such as the INC. The INA, according to Allawi, did not have a public stance on the issue, although it worked against it because it wouldn't take into account 'internal opposition' to Saddam. The CIA was opposed to such a government because it thought it would alienate internal opposition and dissuade it from any attempt to change the regime.[1026]

In the end, the opposition conference in London succeeded in extracting a role for the opposition in the future administration of Iraq. It formed a 65-person committee form exiled opposition groups, the 'Coordination and Follow up Committee'-CFC. Some independent Islamists protested that SCIRI had appropriated the role of other Shia Islamists. Ultimately, the London conference did avoid the discussion of what Allawi called 'serious issues' such as the role of religion in public life.[1027] The 65-member committee met in the resort of *Salahuddeen* in northern Iraq in January 2003 and selected a 6-member leadership council made up of: Jalal Talabni-(PUK), Masaud Barzani-(KDP), Abdul-Azeez Al-Hakim-(SCIRI), Ahmad Al-Chalabi-(INC), and Ayad Allawi-(INA).[1028]

As the US forces entered Iraq and the regime fell, Islamist forces and their allies who laid a claim to the loyalty of the population filled the power vacuum and parallel power structures evolved in almost every town and city of Iraq, although they remained undetected by officials appointed by the occupying authorities.[1029] This happened despite US warnings to SCIRI that, if it tried to get organised forces from its Badr Brigade into Iraq, they will be treated as enemy combatants.[1030] But this threat was not carried out as there was no exchange of fire between US troops and

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[1025]   Ibid
[1026]   Ibid.p86
[1027]   Ibid
[1028]   Ibid.p88
[1029]   Ibid.p91
[1030]   Ibid.p90

Badr.

The Sadrist movement, which was not known in the West prior to the war, sprang to life and was able to secure Sadr City-east of Baghdad- within days of regime fall. As Ali Allawi points out, 'the movement had not been quashed by the Saddam regime, as many had thought, because it went underground'.[1031] One of the incidents that may have weakened the trust in the American effort was their lack of support for those Iraqis who supported them and believed in their cause.

One such Iraqi ally was Abdul-Majeed Al-Khoei, the son of the late grand Ayatullah Abul-Qassim Al-Khoei, who was the Shia's world-wide leader till his death in 1992. Al-Khoei was approached by the CIA to help in the effort of controlling the Shia city of Najaf. He was flown into Najaf by a US military helicopter on 3rd of April, but was murdered by the supporters of Muqtada As-Sadr on 10th of the month.[1032]

Al-Khoei would have played an important role in the post-Saddam Iraq due to his family's position and the respect he enjoyed with most Iraqis. He was seen as a 'moderating force in Shia Islam and useful counterweight to the Iranian regime'.[1033] He was killed because there was not enough US protection for him. American troops stationed nearby didn't interfere as commanders were instructed 'not to approach the heart of the city lest it be interpreted as infringement of the sanctity of the city'.[1034] This must have sent a signal to all those who supported the US project in Iraq that they were not protected. If Mr Al-Khoei was left to die, they would be in a worse position.

The Bush administration's position on Iraq in the aftermath of the Iraq war was 'riddled with expedient decision-making, departmental infighting, conflicting strategies, and policy incoherence'. This undermined the credibility of the parties with whom the USA had been engaged with varying degrees of enthusiasm, even though

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[1031]   Ibid
[1032]   Ibid.pp92-93
[1033]   Ibid.p92
[1034]   Ibid.p93

the 'CPA had to deal with the same cast of characters'.[1035] It's surprising that Ayatullah Sistani was more concerned with democracy than the Americans. On 8th March 2004, Sistani issued a statement criticising article 61C of the TAL considering it as 'usurping the democratic rights of Iraqis to choose their own constitution'.[1036] The article was demanded by the Kurds and accepted by the CPA which presented it to the drafting committee very late in the process.[1037]

According to Adam Przeworski, outcomes under democracy 'hold only if they are mutually enforced in self-interest or enforced externally by some third party'.[1038] This third party, the US in Iraq's case, was not willing to stand behind democratic outcomes.

In conclusion, the Americans did not do enough to support democratic secular forces; instead they left the door open for Islamists parties and their armed groups to control Iraq. They knew, as acknowledged by Bremer, that Islamists were the 'best organized' and they would win early elections, while others lacked organization and support.[1039] Islamist militias were operating uninterrupted and undetected.

At the same time, the Iraqi expert exiles who returned to Iraq under the Iraqi Reconstruction and Development Council-(IRDC)-were sidelined and never consulted by the CPA.[1040] IRDC was dissolved in June 2003 when the CPA handed power to Iraqi interim government. Although the makeup of IRDC was completely Iraqi, it's not regarded as such by Americans who dissolved it when they dissolved the CPA. Instead of giving it a leading role as an Iraqi democratic entity, it was treated as a temporary US organization and it reported to Paul Bremer.[1041] Most IRDC members returned to their countries of exile after it was dissolved, depriving Iraq of an educated experienced class of people who could have served the country

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[1035]   Ibid.p110
[1036]   Ibid.p223
[1037]   Ibid.p221
[1038]   Przeworski-(1996)-p
[1039]   Bremer-(2006)-op.cit.p242
[1040]   Feisal Istrabadi, Farouk Darweesh and Isam Khafaji, Dawn-12/8/2003:
http://www.dawn.com/news/134650/iraqi-exiles-feel-excluded-reconstruction
[1041]   Bremer-(2006)-op.cit.p32

and consolidated democracy.

2

Hostile environment

Iraqi democracy has faced difficulties from hostile neighbouring countries which are not democratic. Almost all surrounding countries are not democracies, and they never welcomed the change in Iraq, despite the fact they were all, except perhaps Jordan, either hostile or not on friendly terms with the Saddam regime. Turkey for example, refused to grant the US a passage to Iraq in 2003, even though it was a member of the US-led NATO Alliance. [1042]

Haggard and Kaufman-(1995)- state that 'successful democratic opposition in one country has an impact on the perceptions and behaviour of actors in neighbouring countries or those with strong cultural links'.[1043]   The democratic change in Spain for example resonated throughout Latin America, while 'People's power' revolution in the Philippines challenged other Asian dictatorships. Events in Poland and East Germany had influenced other eastern European countries.[1044]

Larry Diamond acknowledges that 'the efforts to bring democracy to Iraq were unfolding in a hostile regional environment' and this has hindered the progress of democracy.[1045] He contrasts it with the advent of democracy to Eastern Europe where there was a 'welcoming supportive group of democratic neighbours in the West' as well as the desire of Eastern European nations to join EU.

In Asia, when democracy spread to the Philippines, Taiwan and Korea, there was the example of consolidated democracy in rich and successful Japan. In Latin America, democracy spread in 1980s because of the influence of the democratic

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[1042]   Karen Kaya, The Turkish American Crisis of March 1 Military Review, July/August 2011, p74: http://fmso.leavenworth.army.mil/documents/The-Turkish-American-Crisis.pdf
[1043]   Haggard and Kaufman-(1995)-op.cit.p25
[1044]   Ibid
[1045]   Diamond-(2005)-op.cit.p21

change in Spain which has strong cultural links to the continent, in addition to support form the US and EU. In addition, democracy had existed in some Latin American countries before the reverses to dictatorship, so people were familiar with it.

Diamond reports that that Iraqis were worried about the US not taking into consideration the fact 'all neighbouring states are undemocratic'. One of his Iraqi interlocutors told him that 'there will be a campaign against democracy' in Iraq.[1046] Not only was the regional environment hostile, but even the Iraqi internal environment is also hostile. Academic & economist, Dr Kamal Field, listed this as a major impediment'. Field argues that democracy 'didn't come as a result of mass desire'. 'It's actually like a plant that was growing in a hostile environment'.[1047] The regional environment was hostile to democracy and this was a major reason why it has not succeeded in Iraq. As we will see in the next section, not only is the regional environment hostile, but there were also active interferences from regional countries to disrupt the course of democracy in Iraq and stop its fusion outside it.

3

Outside Interference

This relates to regional countries, in particular Iran, Turkey, Syria, Qatar and Saudi Arabia. Since democracy is alien to Arab culture, and most Arab countries, with the exception of Lebanon and partially Kuwait and recently Morocco, have never had any form of a representative government, its introduction in Iraq alarmed states that fear most this new phenomenon.

The five states above are believed to have interfered directly or indirectly to impede the progress of Iraqi democracy. Every one of them has its own reasons, but the main reason for the majority, except Turkey perhaps, is the 'fear of the domino effect'

[1046]   Ibid.p107
[1047]   Appendix-1. P90

that democracy might have in their own countries, in addition to fear of, or animosity to, Shia rule in Iraq, except for Iran which welcomes it, although it may not necessarily welcome democracy.

The spread of democracy geographically has been due in a big way to international pressure. As mentioned in the previous chapter, successful democratic opposition in one country has an impact in neighbouring countries or those with which it has strong cultural links. The democratic change in Spain had an impact on Latin America. The 'People's power' revolution in the Philippines impacted on Asian dictatorships. Events in Poland and East Germany had influenced other eastern European countries.[1048] Iraq has many cultural and religious links to countries in the region and the regimes ruling there became alarmed at the prospects of democracy in Iraq.

The fear of democracy has been largely fuelled by American early talks of democracy in the Middle East and how Iraq would be an exemplar for the whole region. This was laid out in President Bush's speech on 6th Nov 2003 on his vision for the Middle East.[1049] There is also the Eastern European example where all communist regimes fell one after the other. Adam Przeworski regarded the change there as one event or 'one and a half' since what happened in Romania was caused by what had occurred in Czechoslovakia and that resulted from the breakdown in East Germany and that followed the political changes in Hungry and what showed the Hungarians a way out was the success of negotiations in Poland.[1050]

The Syrian regime played a very negative role and most foreign fighters were believed to have come through Syria.[1051] There have also been reports that the Syrians had training camps for foreign fighters. In 2009, the Iraqi PM, Noori Al-Maliki

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[1048]   Haggard and Kaufman-(1995)-op.cit.p25
[1049]   The Economist-'*Bold Vision for the Middle East*'-7/11/2003: https://goo.gl/ovCuGZ
[1050]   Przeworski-(1991)-op.cit.p3
[1051]   Noori Al-Maliki-AFP-France-24-4/9/2009: https://goo.gl/d9h8rz
Also, Mamoon Al-Abasi quoting Mowffak Al-Rubaie, Middle East Eye, 20/10/2015: https://goo.gl/iv2lgi

filed a complaint against Syria to the UN for playing a destablising role in Iraq.[1052]
Because ISIS and Al-Qaeda before it embrace a doctrine similar to the *Wahabi*
doctrine prevailing in Saudi Arabia, many observers as well as Iraqi and Syrian
officials blame Saudi Arabia either for supporting terrorists or for not doing enough to
fight terrorism.[1053] Saudi fighters within ISIS form the second largest group among
Arab fighters after Tunisians.[1054] Qatar is also frequently accused by Iraqi officials of
supporting insurgents and fighters in Iraq.[1055] Turkey has been accused by the Iraqi
government and several factions of supporting militias and providing logistical
support for foreign fighters in Iraq. An Iraqi MP, Mr Shakhawan Abdullah, accused it
of paying the salaries of members of an Iraqi Sunni militia.[1056] Iran's influence in Iraq
is acknowledged by friends and foes alike. Most Iraqi Islamist opposition groups
were based in Iran and supported by it in varying degrees.

Sami Al-Askari has given a catalogue of interferences by other countries. 'Since the
fall of Saddam, the Iraqi political scene has been subjected to foreign interferences
and influences'. 'The military invasion and the fears it raised in the region, and the
opportunities created by the collapse of the Iraqi state… have offered huge
opportunities for regional and international parties to interfere in Iraq so as to serve
their interest'. He also blames Iraqi politicians 'who were ready to deal with this
interference and welcome it so as to serve their interests and their aims as they
compete among themselves'. Al-Askari asserts 'the presence of Iran is most visible
in the Iraqi political scene among the regional powers.[1057]

Iran was able to build bridges with its old allies and make new allies and this has
offered it the opportunity of influence in the Iraqi scene'. But the Iranian role in Iraq
was not necessarily to destabilise the new regime entirely but to support its Islamist

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[1052]   Trend News Agency-3/9/2009: http://en.trend.az/azerbaijan/society/1534046.html
Also; The Jerusalem post-3/9/2003: https://goo.gl/vj9tGt
[1053]   Sky-05/7/2016: https://goo.gl/x2xBGv
[1054]   Ashley Kirk-Telegraph-24/3/2016: https://goo.gl/5vmYkk
[1055]   Aljazeera-'Maliki: Saudi and Qatar at war against Iraq'-9/3/2014: https://goo.gl/3TjCci
[1056]   Shirwan Abbas-Rodaw-30/12/2015: http://rudaw.net/english/middleeast/291220151
[1057]   Appendix-1, p20

allies within it at the expense of others and this has given them an edge on others. Because Iraqi Islamists do not believe in liberal democracy, as I have established, the Iranian role has become an impediment to democracy since it supports factions that are not committed to it.

Al-Askari points to a Turkish role as 'the defender of Iraqi Sunnis'. He charges that Turkey formed an axis with Saudi Arabia and Qatar to compete with the growing Iranian role. He contends the Iranian and Turkish roles were 'exposed' during the elections of 2010. 'Iran managed to group all Shia groups, except SoL, in a bloc-(NIC). After the results were announced, Iran was active in putting pressure on all the players to make compromises which led to the formation of the second Al-Maliki government'. [1058]

He argues Turkey managed, with a mandate from the official Arab establishment, to group all the Sunnis in one list (Iraqia) and install the Shia Ayad Allawi as its leader in a bid to claw back the leadership of the government from the Shia Alliance. 'This Turkish endeavour was about to succeed if it wasn't for the Federal Court with regards to the formation of parliamentary lists, and the success of Iran in bringing both Shia blocs, SoL and NIC, in a parliamentary list that was able to achieve quorum to form the government' Al-Askari claims. He even accused the UN mission (UNAMI) of bias and trying to influence election results in favour of Iraqia! [1059]

Ayad Allawi also blames foreign influences, colonialism, occupation, lack of self-determination as well as domestic reasons for 'severely impairing the evolution of democracy in Islamic countries'.[1060] Kanan Makiya maintains that Iran is responsible for whatever is happening to Iraq now. 'It's Iran who supported the religious parties. Without Iran they would have had no influence'.[1061] Iran is a theocracy, not a democracy, and it wouldn't be expected to support a true democracy.

Samir Sumaidaie contends what happens in Iran or Saudi Arabia, has influence on

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[1058]   Ibid

[1059]   Appendix-1, p21

[1060]   Ibid, p32

[1061]   Ibid, p46

democracy in Iraq. [1062] 'If the Iranian theocratic regime suffers an internal crisis and collapses, it would have an impact. If the situation in the Gulf and in particular Saudi Arabia is dramatically changes, it would have a profound influence on the whole region.' He also asserts that 'regional powers see democracy building in Iraq as a threat to their survival'. He regards the 'malign influence' of Iran, Turkey and Israel, as an impediment to democracy.[1063]

Abdul-Khaliq Hussein regards relations with Iran, Turkey, the Arab world, USA, EU and the rest of the world' as a challenge to democracy in Iraq. He adds 'a few old-fashioned regional governments do not want Iraqi democracy to succeed, because they fear it will inspire their own peoples, and that is why they support sectarianism and terrorism in Iraq'.[1064] Whada Al-Jumaili regards Iraqi political leaders as 'weak' due to the 'influence of foreign diktats' on them.[1065]

Foreign interference in Iraq has impeded democracy in a big way. This was done through support for armed groups to destabilise the country and also financial support for Iraqi political parties in return for taking expedient positions. Armed groups and militias are supported, financially and logistically by regional powers and they constitute a major obstacle to democracy. Only the state should have exclusive coercive powers over its citizens.

[1062]   Ibid, p16
[1063]   Ibid, p11
[1064]   Ibid, p96
[1065]   Ibid, p110

4

Insurgency

Many observers regard the insurgency as the most serious impediment to building a new political system in Iraq as it is a serious threat to its stability and prosperity. It was neither expected nor acknowledged by the Americans at the beginning.[1066] The first detailed study on insurgency was conducted by Professor Ahmed Hashim which came three years after it began.[1067] Larry Diamond reckons the resistance began in July 2003 when the Americans faced 'a guerrilla war in Iraq against a much more entrenched enemy than it anticipated'.[1068]

In August 2003 alone there were two major attacks by the insurgency, one on the UN headquarters in Baghdad killing the UN envoy Sergio De Mello and forcing the UN to withdraw from Iraq to neighbouring Jordan. The second was in Najaf killing the Islamist Shia leader, Baqir Al-Hakim, together with around a hundred of his companions.[1069] The insurgency is associated with extremist Sunni Islamists who are violent and have a disdain for anything western. But Bremer regarded every surge in violence as a sign that 'the resistance was getting more desperate'.[1070] Instead of acknowledging it and providing remedies for its motives and alleviating the suffering of the Iraqi people, Bremer ignored it and thought Iraq 'was not a country in chaos'.[1071]

As we saw in chapter 10, the security vacuum left by disbanding the Iraqi army and the unemployment and discord created by the Deba'athification law, pushed many Iraqis to becoming enemies of the new order. Since there was an occupation by a foreign power, it attracted jihadist from across the world to come to Iraq and join the insurgency. According to the Telegraph, fighters came to Iraq and Syria from

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[1066]   Allawi-(2007)-op.cit.p170
[1067]   Hashim-(2006)-op.cit.
[1068]   Diamond-(2005)-op.cit.p42
[1069]   Allawi-(2007)-op.cit.p172
[1070]   Diamond-(2005)-op.cit.p42
[1071]   Ibid

Tunisia, Saudi Arabia, Russia, Jordan, Turkey, France, Morocco, Lebanon, Egypt and Germany.[1072]

Ahmed Hashim is highly critical of the US counter-insurgency campaign and he blames it for playing "a key role in the outbreak and perpetuation of the insurgency".[1073] He accuses US decision-makers of "rigid and inflexible ideological approach" which undermined the chances of implementing policies vital in any successful counterinsurgency strategy. Policies such as measured reactions and minimal use of force, political responses, integrated civil-military operations and rectitude towards civilians and prisoners have been largely absent from the US efforts to suppress the insurgency.

Instead, US forces focused on killing the insurgents while turning a blind eye to cultural sensitivities and showing callousness towards civilian casualties. Hashim attributes the US military's failure to have an effectively prepared counterinsurgency strategy to the 'organizational or military culture, defined here as those values or beliefs that promote a conventional-warfare mindset to such an extent that little or no consideration is given to the study and effective preparation for the prosecution of small wars".[1074] Paul Bremer warned the US Congress in 2003 'If we fail to recreate Iraq with a sovereign democracy sustained by a solid economy, we will have provided the terrorists with an incredible advantage in their war against us…'.[1075] The terrorists did have that advantage with the failure of the Americans to recreate Iraq.

Maysoon Aldamluji blames the US for the breakout of the insurgency. 'The army and security forces were dismantled, leaving a massive vacuum that gave way to insurgency and militias to compromise Iraq's security and sovereignty'.[1076] Wahda Al-Jumaili asserts 'the security challenge is serious and it has affected democratic

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[1072]   Ashley Kirk-Telegraph-24/3/2016: https://goo.gl/8hTUKQ
[1073]   Hashim-(2006)-op.cit.p275
[1074]   Ibid
[1075]   Allawi-(2007)-p197
[1076]   Appendix-1, p76

transition in a big way'.[1077] Ibrahim Al-Haidari blames 'irresponsible' American conducts which have 'helped deepen chaos and produced a political and administrative vacuum which resulted in fragile security and the spread of violence, terrorism and social fragmentation'… He contends that they have failed in providing an 'atmosphere conducive for a margin of real freedom and democracy'.[1078]

Security deteriorated mainly due to the resistance to occupation by various groups, internal and external. Shorouq Al-Abayachi contends that Iraq was turned into a 'basic front for fighting terrorism' by Americans, who 'invited all terrorists of the world to Iraq in order to fight them'.[1079] Walid Al-Hilli contends that 'the political process must be conducted in a proper security environment with the existence of free competition and equal opportunities for all'.[1080]

Abdul-Khaliq Hussein regards 'Sunni terrorism' as an impediment to democracy. 'Iraqi democracy was born at the time when Sunni Islamic terrorism was at its high'. He blames the 'religious leaders of the *Wahabi* sect' and BP remnants for that. He blames the Sunnis for 'exacerbating sectarian conflict because they have lost their power and found themselves at a disadvantage because of democracy. They have even collaborated with the terrorists like al-Qaeda and ISIS' he exclaims.

Although the insurgency is entirely Sunni, but not all Sunnis cooperated with al-Qaeda or ISIS. On the contrary, Iraqi Sunnis were the most to lose from the activities of terrorist groups such as ISIS. Sunni imams were beheaded for refusing to pledge allegiance to ISIS.[1081] On the other hand, it was Sunnis who drove out Al-Qaeda from Iraq during the US surge campaign in 2006-8 in what was called the Awakening Councils'.[1082] Democracy must not disadvantage anyone in a country if they act peacefully and abide by the law of the land.

[1077] Ibid, 110

[1078] Ibid, p114

[1079] Ibid, p107

[1080] Ibid, p37

[1081] Dean Obeidallah-ISIS's Gruesome Muslim Death Toll-The Daily Beast-10/7/2014:
http://www.thedailybeast.com/articles/2014/10/07/isis-s-gruesome-muslim-death-toll.html

[1082] Global Security-*The Sahwa/Awakening Councils/Sons of Iraq*: https://goo.gl/vYZIFI

The insurgency has impeded democracy in a big way since it targeted election rallies and IHEC officials, candidates, civic centres, mosques, markets, schools, universities, state institutions, civil society organizations, academics, doctors, professionals, and journalists. It has driven millions of Iraqis to flee the country, especially the educated and experienced.

Democracy requires law and order, state bureaucracy, stability and more importantly, peace. The insurgency has turned Iraq into a battle ground, far away from the environment conducive to democracy. It has weakened all state institutions which are needed for democracy to take root. I have classified insurgency as exogenous because many of its fighters were foreigners and it was supported by foreign countries. Although there were many Iraqis among the insurgents, but it was an international jihadist campaign against the change that the US effected in Iraq which removed Sunni rulers and replaced them with Shia ones. Whatever the classification, it's a serious impediment to democracy.

5

Armed Groups and Militias

All armed groups constitute a threat to the state. ISIS took control of three provinces in 2014/15/16, but government forces managed to free two of them so far (Saladin and Anbar), while attempting to retake the third (Musil). ISIS is recognised internationally as a terrorist group and Iraq is getting help from the US, Iran and other countries to fight it back. It will be defeated sooner or later since it has no practical political programme. It belongs to ancient history. But the main challenge to democracy will be militias linked to Islamist political parties which proliferated over the last two years after ISIS took control of Musil in June 2014. Militias have been a military/political factor in Iraq since 2003.

When the US military entered Iraq in early 2003, it warned Islamic militias not to enter Iraq and get organised forces and if they did they would be treated as enemy

combatant.[1083] But that warning was not heeded; they did get organized forces, although 'they remained undetected by officials appointed by the occupying authorities'.[1084] Some of them entered into battles with the US and Iraqi armies.

Sami Al-Askari identifies Sunni and Shia armed groups and militias as being a serious problem. He stated that these groups 'imposed their understanding of religious and moral values and practices on others'. This was extended to even killing those who didn't apply 'their understanding of religion and morals'. He argues this was made possible by the almost complete absence of the state during the period after the fall of the regime.[1085]

But, as the state got stronger, the main militias which are *Badr* and the *Mahdi Army* integrated with Iraqi forces or demobilised after the threat of Sunni jihadi terrorism diminished after 2008.[1086]

Militias resurged after the breakout of the war in Syria where some 5000 Iraqis went to fight in Syria against Al-Qaeda and ISIS, not necessarily supporting the Assad regime.[1087] PM Al-Maliki had to deploy two combat-hardened militia units which returned from Syria in June 2014 to Iraq to fight ISIS after the collapse of the Iraqi army in Musil.[1088] The turning point for the resurgence of Shia militias was when ISIS took control of Musil and Ayatullah Sistani issued a jihad fatwa to fight ISIS which 'provided the mechanism for the enormous and rapid expansion of militias'.[1089] The fatwa was expedient for political groups to form their own militias which are loosely gathered under the banner of Popular Mobilization Unit (PMU) or *Hashd*.

Although it's difficult to know how many militias in Iraq now nor how many have been formed after June 10th 2014, nor the number of men who joined them as tallies differ from one group to another. The US War College estimates the number of Shia

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[1083] Allawi-(2007)-op.cit.pp89-90
[1084] Ibid.p91
[1085] Appendix-1, p22
[1086] Cigar-Feb2015-op.cit.p3
[1087] Ibid.p4
[1088] Ibid.p5
[1089] Ibid

militias in Iraq to be over 50.[1090] These militias, with tens of thousands of trained armed men, are not going to disappear after the removal of ISIS. Their presence will constitute a threat to democracy and to the state itself which is already weak. This has pushed people to depend on militias for protection as Dr Akeel Abbas explained. 'Sect-based militias are more trusted and effective than the state itself'.[1091]

In 2007 the two main militias, Badr and Mahdi Army clashed and as a results several officials, including the governors of two provinces (Muthanna and Diwaniyya), were killed.[1092] The UN warned that the existence of militias will pose a problem for Iraq in the long term.[1093]

The US Controller General, David Walker, said in a testimony before the Sub-committee on Defence Committee Appropriations at the US House of Representatives that militias have penetrated Iraqi ministries.[1094] Maysoon Aldamluji believes militias have compromised Iraq's security and sovereignty.[1095]

It is now established that there are several armed militias operating in Iraq, in addition to terrorist groups such as ISIS. The Shia militias, at least the new ones, were formed after the *jihad* fatwa of Ayatullah Sistani and he may be the one who has the moral authority to call upon them to demobilize. It's doubtful that he would do so while ISIS's threat is hanging over Iraq. Sistani is now 86. If he dies before the stabilization of the country, the legitimacy that armed groups got from his fatwa will be difficult to challenge.

Armed groups do not respect the law or people's choices and most of them are sect-based religious organizations which impose their understandings of religion on those under their control. This has happened in Iraq and it's bound to happen in the future. Unless militias are pacified or dissolved, democracy will be in name only.

[1090]   Ibid.p14
[1091]   Appendix-1, p89
[1092]   BBC report-20/8/2007: http://news.bbc.co.uk/1/hi/world/middle_east/6954467.stm
[1093]   House of Commons Defence Committee 6th report on Iraq-op.cit.p64: https://goo.gl/lL4U6b
[1094]   David Walker-'*US Government Accountability Office*'-23/4/2007: https://goo.gl/ccSM2j
[1095]   Appendix-1,p76

Chapter 12

Structural Factors

1

Stateness

Since democracy is a system of governance, it requires a state; without a state there is no democracy.[1096] Charles Tilly defines the state as follows: 'an organization which controls the population occupying a definite territory is a state in so far as: 1-It's differentiated from other organizations operating in the same territory, 2-it's autonomous and 3-its divisions are formally coordinated with one another'.[1097]

The legitimacy of the state must not be questioned by any substantial group within it. If there is a 'nationality group that claims the right of self-determination' as is the case with the Kurds in Iraq, then the state legitimacy is questioned and this complicates matters for democracy or even for inter-state peace.[1098] 'When a large minority in a country is considered by another country as irredenta and where titular nationality and its leaders pursue an aggressive nation-building policy that alienates minorities, who then turn to neighbouring countries for support' then there is a reason to question the state.[1099]

In northern Iraq, there is a substantial Kurdish minority that has been pursuing a policy of 'self-determination' since the creation of the Iraqi state. This has weakened Iraq as a state and created a stateness problem. The Kurdish minority has never settled in Iraq since the creation of the Iraqi state in 1921. According to Michael Eisenstadt, there were Kurdish rebellions against central government as early as 1919-20, as well as in later years (1923-24, 1931-32 and 1935-36).[1100] In 1927 there were disturbances in northern Kurdish areas led by the two prominent leaders,

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[1096]   Linz& Stepan-(1996)-op.cit.p17, Also Diamond-(2005)-op.cit.p23
[1097]   Linz& Stepan-(1996)-op.cit.p17
[1098]   Ibid.p26
[1099]   Ibid
[1100]   Eisenstadt& Mathewson-(2003)-op.cit.p68

Sheikh Ahmed of Barzan and Sheikh Mahmud.[1101] The two leaders have also demanded independence, although their aim was parochial, depending on tribal support.[1102] Prior to Iraq's full independence and proposed membership of the League of Nations, Sheikh Mahmud led an armed revolt demanding the separation of Kurdistan and turning it into a British protectorate.[1103] The revolt was suppressed with the help of RAF and Sheikh Mahmud was sent into exile in Nassiria, southern Iraq. Later, the Kurdish leaders' demands were modified and petitioned the League of Nations for cultural autonomy and self-rule.[1104]

Iraq followed an Arabization programme in education and text books which emphasized secular and progressive themes, Arab nationalism and patriotism rather than ethnic separatism favoured by the Kurds.[1105] This policy has further alienated the Kurds, especially during the Ba'ath regime when the state adopted a pan-Arab ideology.

The Kurdish separatist movement sought military support from Iran exploiting the latter's dispute with Iraq over sovereignty over the Shat Al-Arab waterway, especially after Iran abrogated the 1937 treaty.[1106] The Kurdish insurgency became a serious threat to the Iraqi state after many factions joined Barzani, and with the assistance of Iran, the insurgency developed into a full-scale war in 1974.[1107] The threat of the insurgency to Iraq forced the Ba'ath regime to enter into humiliating negotiations with the Shah of Iran which culminated in the signing of the 1975 treaty of Algiers in which Saddam Hussein accepted Iran's claim that the *Thalweg* line should form the border between the two countries in Shat Al-Arab, and in return, Iran would cease all support for Barzani and the Kurdish separatists. The Kurdish revolt collapsed within days and 150,000 *peshmerga* with Kurdish leaders crossed the border to Iran, while

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[1101]   Tripp-(2007)-op.cit.p62
[1102]   Ibid
[1103]   Ibid.p66
[1104]   Ibid
[1105]   Judith Yaphe-(Eisenstadt and Mathewson-2003)-op.cit.p48
[1106]   Tripp-(2007)-op.cit.p194
[1107]   Ibid.p2004

thousands others accepted the offered amnesty from the government.[1108]

But demands for Kurdish independence continued even after the setback of 1975. The Kurdish armed movement resurged in later years. It remained at war with the central government almost continuously, except in periods where there was some temporary understanding. In 1991, following the failure of the *intifada,* the UN created a safe haven for the Kurds in the three provinces where most of the Kurdish population resides. Ever since, the Kurds had enjoyed quasi-independence status. Perhaps this is one of the reasons why irredentist feelings among Kurds have been enhanced because the sequence of elections didn't serve the consolidation of the stateness since it started within their region. In Spain, for example, national elections were held before regional elections and this had helped to constitute 'the supportive legal and effective membership of the national (Catalan), state (Spanish) and super-state (European Community)'.[1109]

Iraqi Kurdish writer and former presidential chief of staff, Kamran Qaradaghi, says the Kurds have made a 'resolution' regarding the establishment of a Kurdish state and it's now a matter of time.[1110] Qaradaghi says the Iraqi democracy has not been successful and the Kurdish sense of belonging to Iraq was weak and has become even weaker after the crackdown on them during the previous regime. He specifically mentioned 'the Anfal operations, ethnic cleansing, the use of chemical weapons and mass graves during the seventies and eighties of the last century. 'These events have deepened the Kurdish feeling of not belonging to the Iraqi state, especially after the declaration of republican Iraq as an integral part of the Arab nation'. The Kurds insisted on removing the reference to the Arab identity of Iraq from the interim, then permanent constitution in 2004 and 2005 respectively. In a recent survey, 82% of Kurds want independence.[1111] As Peter Galbraith put it 'for the older generation, Iraq was a bad memory…the new generation has no feeling of

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[1108]   Ibid.pp2004-5
[1109]   Linz& Stepan-(1996)-op.cit.p102
[1110]   Appendix-1, p121
[1111]   Greenberg Quinlan Rosner Research-August–September 2015-NDI-23/11/2015:
https://goo.gl/Hp72pk

being Iraqi'.[1112]

 Sunnis have also been talking of a federal region of Iraq as mentioned earlier. The Sunni leader, Usamah An-Nujaifi said they were 'unhappy' with the current arrangement. This current 'unhappiness' could develop into something more serious and perhaps a separate Sunni entity might develop. Some 25% of Sunni Arabs support ISIS according to Carnegie Endowment.[1113] Only 13% of Sunni Arabs believe things in Iraq are heading in the right direction, 58% feel unfairly represented and 50% feel Iraq is a divided country.[1114]

As for the Shia Arabs majority, they have deep pride in being Arabs, sharing tradition, customs and sense of Arab identity with the great clans and confederations of Arabia, despite the doctrinal differences.[1115] But the fact that they are Shia in a largely Sunni Arab world which by and large discriminates against them, especially in Saudi Arabia and some Gulf states, makes them feel they need Iran to turn to for support.[1116] If the Kurds choose independence, which looks likely, and the Sunnis follow suit or go for a federal entity, the Shia may feel compelled to forge closer relations with Iran. Maysoon Aldamluji, a secular Sunni, argues that 'the indifference of some Arab countries to the Shia cause, compared with the ease in relations with the Iranian leadership, has pushed Shia leaders towards Iran'.[1117] Iran in this case becomes more influential in Iraq and this is not a good outcome for democracy as long as Iran remains a theocracy.

Although some prominent personalities, such as Samir Sumaidaie, say it's unwise for the Shia to turn to Iran as this will increase the likelihood of confrontation with Arab countries, and he may be right in theory, but politics do not always work

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[1112]   Diamond-(2005)-op.cit.p22
[1113]   Renad Mansour Carnegie Endowment-3/3/2016: https://goo.gl/v2qFIH
[1114]   Greenberg Quinlan Rosner Research, August–September2015, NDI-(footnote-730)
[1115]   Judith Yaphe-'*US Policy in Post-Saddam Iraq*'-(2003)-op.cit.p39
[1116]   Kadom Shubber, Samir Sumaidaie, Kamran Qaradaghi, appendix-1, p148, p155 and p157 respectively.
[1117]   Appendix-1, p149

according to theory.[1118] Akeel Abbas blames discrimination on the assertion of sectarian identity, be it Shia or Wahabi. The Shia, he asserts, never complained before from discrimination by other Arabs against them.[1119]

Maysoon Aldamluji contends that Iraq isn't going for division; 'it's hard pill to swallow' she avers. She also rejects the discrimination concept and her evidence is the Lebanese Hizbulla leader, Hassan Nasrullah, was 'idolized by Arabs until he sided with Bashar Al-Assad'. She adds 'the Shia are proud Arabs who refuse to be subordinated to Iran'.[1120] Faleh Abdul-Jabbar contends that the Iraqi national identity has collapsed and it has been replaced by sect, class or race. 'This collapse of the idea of national identity… limits democracy and weakens it' he asserts.[1121]

Civic nationalism is shaped by the presence of strong administrative institutions and flexible elite interests that can adapt to democratization. For civic nationalism to emerge, "liberal institutions [should] precede mass politics." Under such conditions elites do not feel threatened by the changes brought about by the democratic transition and "nationalism is likely to be inclusive and will probably take a civic form."[1122] Civic nationalism is nurtured by attachment to an assemblage of political ideas and institutions rather than to an ascriptive loyalty, such as ethnic identity. Snyder argues that belligerent nationalism can thrive even in cases with strong liberal press and lively civil society, such as Weimar Germany. "Racist, authoritarian nationalism," he notes, "triumphed at the end of the Weimar Republic, not despite the democratization of political life, but because of it."[1123]

As we saw earlier, democratization could lead to weakening the state and perhaps division. Similarly, Dr Khalil Osman argues that 'democratization intensified the process of the hardening of ethnic and sectarian identities in post-2003 Iraq…

[1118]   Ibid, p155
[1119]   Ibid, p147
[1120]   Ibid, p149
[1121]   Ibid, p28
[1122]   Snyder-(2000)-pp76-77
[1123]   Ibid.p118

democratization undermined the prospects of coexistence among various communities and fomented inter-communal conflict'.[1124]

Ali Allawi detected a key shift in Shia thinking 'from the politics of victimization to an insistence on their right as a majority'. As such, a mere 'acknowledgement of democracy and democratic rules of practice would no longer be sufficient to assuage the majority of the Shia'.[1125] While, he admits, not all the Shia subscribed to this new thinking, a very large majority did so 'moving the fulcrum of political identity and loyalty away from secular groups to and towards Islamists and sectarian figures. The pattern of Iraqi political life had decisively altered'.[1126]

As Allawi has noticed, there were three contrasting currents flowing together in the drive to establish Iraq's sovereignty. The first was comprised of the CPA, the liberals and the Kurdish camp. They were trying to 'fashion the outlines of a federal and secular state in the broadly familiar terms of a modern pro western democracy'. The second was comprised of UN envoy Brahimi, the UN and Arab countries who sought to maintain 'some vestige of the old united Iraq with a clear Arab identity and re-empower Sunni Arabs'.

The third was represented by 'Sistani who articulated the demands of the Shia and … insisted on a role for Islam and its teachings in the new order'.[1127] Sistani dominated the proceedings 'not by his detailed interventions in the political process, but by setting markers that he considered sacrosanct such as the broad acknowledgement of Islam'.[1128] Sistani, according to Allawi, achieved his objectives, not just through reference to Islam, but by inference to democratic theory'.[1129]

Dia Shakarchi regards the feeling of belonging to a sect (rather than a state) as 'the biggest impediment to the process of democratic transition' followed by belonging to

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[1124]   Appendix-1, p150
[1125]   Allawi-(2007)-p137
[1126]   Ibid.p138
[1127]   Ibid.p231
[1128]   Ibid
[1129]   Ibid.p231-232

religion, ethnicity and region. He also senses a weak sense of belonging to the motherland in Iraq.[1130] Wahda Al-Jumaili regards the 'ambition of the Kurds and their attempts to impose their will on the central government and their exploitation of Sunnis-Shia differences as a problem for democracy.[1131] Dr Abdul-Khaliq Hussein regards the Kurdish issue as one of the challenges to democracy. He argues the Kurds are 'suspicious of any regime in Baghdad even the one that is elected democratically. That's why they are always in conflict with the federal government, and this poses a threat to democracy'. The presence of diverse cultures and more than one nation existing makes pursuing democratization difficult. 'Congruence between polity and demos would facilitate the creation of democratic nation-state'.[1132] Conversely, Polis/demos incongruence creates problems for democratic consolidation unless carefully addressed.[1133]

In sum, Iraq has a stateness problem and this is not conducive to democratic consolidation. The state in all democracies acts as the 'specialised agency for enforcing compliance' and, as time goes by, the state becomes independent of political forces in doing this task.[1134] The state's autonomy of intervention by political forces, that is controlled by institutional framework, is 'of fundamental importance in any democracy'.[1135]

But what happened in Iraq, in the words of Ali Allawi, was 'the corroded and corrupt state of Saddam was replaced by the corroded, inefficient, incompetent and corrupt state of the new order".[1136] The state institutions are partisan, and since parties are exclusively sectarian or ethnic, the institutions are similarly fashioned. Ministers brought their party followers and relatives to their ministries with no fear of breaking the law.[1137] This trend has weakened the state and national identity further.

[1130] Appendix-1, p51
[1131] Ibid, p110
[1132] Linz& Stepan-(1996)-op.cit.p25
[1133] Ibid.p26
[1134] Przeworski-(1991)-op.cit.p25
[1135] Ibid
[1136] Ibid.p460
[1137] Musings on Iraq-'*How the US Ran into Party Politics*'-9/1/2013: https://goo.gl/zcWgXk

2

Rentier State

Iraq depends almost completely on its oil revenue. According to David Nummy, US advisor to the Iraqi finance ministry in 2003, oil revenue constitutes 98% of the Iraqi budget. [1138] Luay Al-Khateeb, non-resident fellow at Brookings Institute in Doha, says oil revenues constitute 43 percent of GDP, 99 percent of exports and 90 percent of all federal revenues. Thus, to increase overall revenues, the government is always under pressure to increase oil production capacity regardless of market volatility.[1139]

In 1990, Samuel Huntington listed Iraq, together with Iran and others, in the upper-middle-income zone, which is above where transition to democracy might be expected. He said the economic preconditions for democratization were present, but democratization has not occurred.[1140]

But Huntington had one qualification regarding democratization in these countries. 'The economic well-being of these countries was dependent on oil exports, a situation that enhanced the control of the state bureaucracy and hence provided a less favourable climate for democratization.[1141]

Samir Sumaidaie contends that since Iraq is a rentier state, whoever controls the oil, gains immense political advantage by building a structure of patronage.[1142] He contends that oil prolongs undemocratic systems and if it wasn't for the oil, the Iranian regime 'would have gone under long time ago'. Maysoon Aldamluji regards the 'rentier economy' as one of the impediments to democracy.[1143]

Fareed Ayar explains that the rentier state 'makes people dependent on the state because all resources are in the hands of the government and citizens become

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[1138]   Bremer-(2007)-op.cit.p28
[1139]   Brookings-13/12/2015: https://www.brookings.edu/opinions/iraqs-economic-reform-for-2016/
[1140]   Huntington (1991)-op.cit.p312
[1141]   Ibid.p313
[1142]   Appendix-1, p11
[1143]   Ibid, p76

dependent on the person who has the money and that is the Prime Minister. He distributes the money as he sees fit and this is one of the biggest obstacles to democracy'. He argues if a private sector exists, 'taxpayers and people in general can hold government officials to account'.[1144] Adnan Al-Janabi, a graduate of LSE and specialist in oil, affirms the 'rentier state' is the most difficult problem to surmount and it's a serious impediment to democracy. [1145]

Bassim Anton, an economist and business expert, argues that Iraq's dependence on oil revenues 'has weakened democratic transformation because it has led to the stoppage of other productive sectors, especially industry, which are considered the magnet for attracting businesses to productive factories which act to create cultures and facilitate the exchange of information and interests'. He states that selecting workers on the basis of economic interests achieves 'part of democracy'.[1146]

Economist Kadom Shubber contends that economic diversification should be part of any sound economic strategy of every nation. 'A well-balanced economy assists in building a mature and healthy democratic system' and this 'requires people to be able to think freely, independently, and confidently'. 'When individuals view their livelihood to be dependent on a linkage with a political party or an organ of the State, their judgment can be impaired, even paralysed, and hence might follow diktats handed down to them, he explains. 'Even a "socialist" system can be anti-democratic', because the state employs most workers and they can be 'strongly impacted by the political party that happens to be in power'.

Shubber contends that Iraq 'had a better-functioning democracy in the 1920's, 30's and 40's than in subsequent decades when substantial increases in oil revenues were forthcoming'. 'As oil income began to flow in increasing amounts, other economic sectors were neglected, while the ruling class saw no pressing need to take heed of people's views or to subject themselves to national scrutiny'. [1147]

[1144]   Ibid, p84
[1145]   Ibid, p100
[1146]   Ibid, p102
[1147]   Ibid, p43

Oil prices have collapsed since 2015 and this has eliminated 60 percent of oil's previous market value.[1148] Everyone now recognises that dependence on oil has many drawbacks. Thus, falling oil prices 'may present a real opportunity for reform in Iraq'.[1149] When Iraq moves away from the rentier state, people will have more say in their own affairs since they will be paying through taxes to finance state activities. Economic restructuring takes a long time to have an effect. With other problems facing the country, this may even take longer.

Experts say high oil prices have intensified corruption and widened bureaucracy. 'When oil was selling at $90 to $100 a barrel…the cash fed a corrupt political system based on patronage. Instead of investments in public services, the money fed an unsustainable expansion of government payrolls and with it a rise in consumer spending'.[1150] Rentier state is clearly a problem for democracy and unless Iraq moves away from it, democracy will remain weak.

Reforms of the economy are urgently needed to reduce reliance on oil revenue. But can the current government or even system undertake such necessary reforms with all the party rivalries and infighting? 'Fragmented and polarized party systems heighten partisan rivalries, magnify conflicts among organised interests and weaken the capacity of the executive to initiate reform'.[1151] Political factors can lead politicians to discount future gains because of impending elections or to avoid protests or riots.[1152] This has happened several times in Iraq, once when the government decided to abolish the ration card and again when it wanted to increase the prices of electricity.[1153]

[1148] Luay Al-Khateeb-Brookings-(13/12/2015)-op.cit.
[1149] Ibid.
[1150] Tim Arango-India Times-1/2/2016: https://goo.gl/GlFq8k
[1151] Haggard and Kaufman-(1995)-op.cit.p14
[1152] Ibid.p157
[1153] Rami Ruhayem-'*Iraq Struggles to reform 'inefficient' Ration System*'-BBC-21/7/2012: http://www.bbc.co.uk/news/world-middle-east-18916653

3

Level of Economic Prosperity

I have established that democracy requires a state to consolidate, but this state must be strong and economically prosperous for democracy to be stable. In addition, there is a need for strong middle class, high levels of literacy and education, limited inequality, a productive market economy and a vigorous civil society.[1154] This has been proven, although democracy has expanded to poor countries such as Mali, which didn't meet the classic conditions since it has high level of illiteracy, dire poverty and life expectancy of 44 years.[1155]

Iraq had suffered in its recent history from two devastating wars, 12-year sanctions, brutal dictatorship which led to a steady economic decline and destruction of the middle class. Per capita income had fallen by over a half to $1000. Education and health levels had declined sharply, child mortality rate had increased several times, and infrastructure had deteriorated while foreign debt had piled up to a staggering $200 billion. Over 40% of Iraqi adults are illiterate.[1156]

Iraq was in the upper-middle-income zone in 1990, which is above where transition to democracy might be expected. [1157] But with the deterioration and destruction listed above, most of which had taken place after 1990, Iraq was well below the economic level required for democratization. In addition, Iraq was wholly dependent on oil exports as we saw in the last section, which enhanced the control of the state bureaucracy and provided less favourable climate for democratization.[1158]

One of the five conditions that must exist for democracy to be consolidated is institutionalised economic society.[1159] This didn't exist in Iraq then nor does it exist now. The other four are: lively civil society, autonomous political society, rule of law

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[1154]   Diamond-(2005)-op.cit.p19
[1155]   Ibid.p20
[1156]   Ibid.pp20-21
[1157]   Huntington-(1991)-op.cit.p312
[1158]   Ibid.p313
[1159]   Linz& Stepan-(1996)-op.cit.pp7-15

and independent associational life and usable state bureaucracy.

Democratization in Iraq coincided with economic, infrastructure, social and educational devastation and that was not conducive to successful democratization since people lacked the basic necessities required for a normal modern life. Iraq has faced dire economic difficulties over the last two years due to falling oil prices. It's struggling to meet its obligations to state employees and is unable to maintain basic services such as education and health. In sum, the low level of economic development doesn't help push democratization forward.

4

Weak Institutions

It was established earlier that democracy needs civil society, political society, economic society, rule of law, and a functioning state bureaucracy. Under the personal dictatorship of Saddam Hussein, there were neither political nor civil societies. Since the state controlled everything and depended on oil revenue, there was hardly any economic society that is not related to the state in which abound the practices of coercion, nepotism and whim.

The state under Saddam was 'an engine of power, accumulating resources, deploying patronage and maintaining control over its inhabitants… centered on the restrictive circles of Saddam Hussein's associates, linked to him either through bonds of kinship and regional background or through history of personal trust'.[1160] Ali Allawi described it as 'corroded and corrupt' but 'it was replaced by a corroded, inefficient, incompetent and corrupt state of the new order".[1161] Samuel Huntington called the regime type in Iraq, alongside the one in Cuba, a 'personal dictatorship'.[1162] According to Ali Allawi, when the Americans entered Iraq in April 2003, they found the institutions of the state 'moribund and the state 'exhausted', while 'the ideology that had held Ba'athist rule together had decayed beyond repair".[1163]

For Saddam, and Al-Bakir before him, even the Ba'ath Party 'was an extension of their personal power through a system of patronage which they alone would control'.[1164] Despite the socialist rhetoric of the regime, all economic directives were geared to enhancing the control of the regime and its associates.[1165]

Dr Kadom Shubber contends by 2003 Iraq had 'antiquated bureaucracy, without any internationally acceptable legal system or transparent or just enforcement

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[1160]   Tripp-(2007)-op.cit.p216
[1161]   Allawi-(2007)-op.cit.p460
[1162]   Huntington-(1991)-op.cit.p41
[1163]   Allawi-(2007)-op.cit.p16
[1164]   Tripp-(2007)-op.cit.p191
[1165]   Ibid.p197

framework. The State apparatuses became by far the most violent, savage and erratic part of Iraqi society, thereby convincing ordinary people the only effective deterrent to malpractice, crime, corruption and other wrongdoings was harsh punishment or the prospect of it'.[1166] Samir Sumaidaie charges that 'although the new system has some of the trappings of democracy, it remains without some of the important institutions to make it work'.[1167]

Faleh Abdul-Jabbar contends the independent institutions are now undermined. They have added to them executive institutions such as the Sunni and Shia endowments which manage mosques and the two must be separated in a democracy. 'There is ambiguity regarding them, and now the council of ministers wants to take charge of them. These must be independent of the executive authority and supervised by parliament, not the government'.[1168]

Ayad Allawi lists the 'absence of law and order, lack of institutions, failure of the judiciary and its control by the executive and the dismantling of the state', as reasons for the failure of democracy. He explains that 'the starting point for the democratic process is the presence of the rule of law, basic rights of citizens and citizenship, and the presence of institutions that can defend democracy' and these are non-existent.[1169]

Akeel Abbas asserts that state machinery performance is 'abysmally poor, particularly in its upper echelons and decision-making bodies'.[1170] He blames this on religious and sectarian slogans which 'helped bring unqualified officials who may have hidden their inabilities behind their religious rhetoric'.

MP Maysoon Aldamluji charges that one of the impediments to democracy is 'the absence of democratic institutions and the weakness of the judicial system.[1171]

[1166]   Appendix-1, p40
[1167]   Ibid, p10
[1168]   Ibid, p30
[1169]   Appendix-1, p33
[1170]   Ibid. p88
[1171]   Ibid, p75

Shorouq Al-Abayachi blames weak social fabric and state institutions for the failure of democracy. She states; 'in the light of the rupture in the social fabric of Iraqi society, which is based on sectarian and ethnic basis, and the absence of the force of law and security, as well as the absence of real developmental programmes and a vision for social and institutional reforms, all these have weakened, in a big way, the prospects of an entrenched democratic experiments over the next ten years'.[1172]

Wahda Al-Jumaili contends the state is generally weak and blames other social ills such as sectarianism on state weakness.[1173] Ibrahim Al-Haidari blames the rise of undemocratic forces on the 'weakness of the state and the spirit of citizenship, the split identity and the non-development of real and effective democratic forces in society'.[1174] It is now established that Iraqi state institutions were weak under Saddam and became weaker and corrupt under the new order and this is an impediment to democracy.

5

Corruption

Democracy is consolidated 'when a particular system of institutions becomes 'the only game in town',[1175] when no one can imagine acting outside the democratic institutions, when all losers want to do is to try again within the same institutions under which they have lost'.[1176] When democracy becomes 'self-enforcing' we can think of it as established and entrenched within a society. This means when all the participants feel they find it best for their interests to use the existing system and have hope to get improvement sometime in the future. In other words, when democracy becomes a benefit to all and it's harmful for any political force to try and subvert it. But is this enough to protect democracy? No says Adam Przeworski. He

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1172   Ibid, p107
1173   Ibid, p107-110
1174   Ibid, p112
1175   Linz& Stepan-(1996)- p5
1176   Przeworski-(1991)-p26

suggests some 'rules of punishment, a bureaucracy to detect noncompliance and a set of incentives for the bureaucracy to detect it and apply the rules'.[1177]

But punishment cannot be effective if detection techniques are not working especially when officials are easily bribed[1178]. Corruption is wide spread in Iraq and all the efforts to limit it have failed. Not a single person in Iraq today disagrees with this fact. One 'courageous' MP admitted that 'everyone is corrupt including me. I was offered $5m by someone to stop investigating him. I took it, and continued prosecuting him anyway'! Mishaan Al-Jabouri was quoted as saying.[1179] Sami Al-Askari explains that corruption is widespread and 'the prevailing social culture doesn't condemn it to the point that some people envy corrupt officials and wish they had the opportunity to practice financial corruption themselves and make illegal material gains'.[1180] Ayad Allawi regarded corruption as one of the impediments to democracy.[1181] So did Samir Sumaidaie, Waleed Al-Hilli, Kadom Shubber, Kanan Makiya, Dia Shakarchi, Ali Allawi, Sharwan Al-Wa'eli, Fareed Ayar, Abdul-Khaliq Hussein, Shorouq Al-Abayachi, and Kamran Qaradaghi among others.[1182] Shakarchi charges that 'Corruption was strengthened through hiding behind religious and sectarian slogans'. He senses a 'mutual cover up of corruption among the same political foes'. Corruption cases are brought against individuals from rival parties but a deal is always reached to drop cases against each other.

Judiciary is perceived to be biased as the Federal Court has passed many rulings that were thought to be in favour of the government, especially under the premiership of Noori Al-Maliki, when the court allowed the formation of election lists after the announcement of election results.[1183] This could create a potential for 'endless negotiations after every election'. [1184] There were also many verdicts

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[1177]   Ibid.p27
[1178]   Ibid
[1179]   Martin Chulov-The Guardian-19/2/2016: https://goo.gl/B4vfem
[1180]   Appendix-1, p22-23
[1181]   Ibid, p31
[1182]   Ibid, p10-16, p34-37, p38-44, p45-46, p51-63, p67-69. P70-75, p79-85. P92-98, p104-107& p120-122 respectively.
[1183]   David Ghanim-'Iraq's Dysfunctional Democracy'- Praeger-(2011)-op.cit.p122
[1184]   Kenneth Pollack: A Government for Baghdad, Brookings Institute-27/7/2010: https://goo.gl/HtjqZw

passed against individuals accused of corruption or terrorism but were overturned after 'deals' were struck or after the new PM, Haider Al-Abadi, took over from the previous PM.[1185]

Sharwan Al-Wa'eli points to politicians 'who can be bought with an armoured car or half a million dollars'. He reveals that he referred more than 500 corruption cases to the Commission of Public Integrity-(CPI)-but the judiciary didn't act because there was no oversight. 'Even MPs who signed the referral of cases are now outside parliament', he reveals. 'This is a message to anyone who speaks out against corruption; it will backfire on you' he exclaims.

He claims there are judges who occupy important positions but have 'weak points'. 'He who has a weak point is led easily', Al-Wa'eli declares. In other words, they can be easily blackmailed. He is referring to judges who cooperated with the Saddam regime. Those judges are weak because if they do not cooperate with the new rulers, they will be dismissed as 'Ba'athists or remnants of the previous regime'.

Kamal Filed emphasises the need for 'good governance' which he believes is still lacking in Iraq. 'According to international experience, democracy requires the strict application of law and this is proportionately linked to the educational and cultural state of society' he asserts. Bassim Anton regards corruption as an impediment to democracy.

Fareed Ayar sees corruption as the biggest problem in Iraq today. He also blames the US for corruption. 'Some Americans who came to Iraq were corrupt. There was corruption in many of the contracts that they brought to us including contracts for the IHEC'.[1186] Adil Abdur-Raheem warns that an environment conducive to corruption' has been created by the 'politicians' double standard' and this can render the democratic political process devoid of its content.

CPI director, Hassan Al-Yassiri, announced early in March 2016 that he has asked the central government to issue arrest warrants for 2165 officials charged with

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[1185]   Going Global East Meet West website-22/12/2014: https://goo.gl/V4Xnn2
[1186]   Appendix-1, p85

embezzlement of public funds, and the list includes six ministers.[1187]

Ali Allawi describes current politicians as 'utterly unprincipled and corrupt' who seek to 'enhance their individual and family claims on power'.[1188]

Corruption exists in all ministries. An entire battalion of the Iraqi police was found to be non-existent, while corruption is widespread in the army with ghost employees and shortage of supplies.[1189] PM Al-Abadi announced that he has identified 50,000 'ghost soldiers' who didn't exist and he scraped their positions.[1190] The US embassy accused the Maliki's government of being "not capable of even rudimentary enforcement of anticorruption laws".[1191]

James Mattil, the US senior consultant to CPI, told the Senate 'Iraq's endemic corruption is an integral element of the insurgency, providing money, personnel and motivation to insurgents and terrorists'.[1192] Terrorist groups, such as ISIS, have funded their activities through corruption before they seized territories in Iraq.[1193]

Corruption is a serious impediment to democracy in Iraq because it weakens state institutions which are responsible for enforcing the system and render them ineffective. The judiciary, election commission, parliament, police, army and even the integrity commission, are all accused of corruption and very few people trust them. Corruption is responsible for funding insurgents and terrorists. Those who are hostile to democracy try to link democracy to economic success 'because they expect economic crises to turn some civilians against democracy which will increase the probability of a successful subversion to which they would respond... by overthrowing democracy'.[1194] Unless corruption is brought under control, democracy in Iraq will remain vulnerable.

[1187]   Rudaw-report-3/7/2016: https://goo.gl/g9L9ws

[1188]   Appendix-1, p69

[1189]   Arab Anti-corruption organization-2016: https://goo.gl/kLhRY2

[1190]   Ned Parker-Power failure in Iraq as militias outgun state-Reuters-21/10/2015: https://goo.gl/CShh3e

[1191]   The Nation, 30/8/2007: https://goo.gl/39YaSv

[1192]   James F. Mattil-Senate Democratic Policy Committee- no specific date-(2007): https://goo.gl/fc4ADC

[1193]   Brooke Satti Charles-Security Intelligence-10/10/2104: https://goo.gl/l9pmOh

[1194]   Przeworski-(1991)-op.cit.p33

6
Weak and Divided Secular Movement

I have explained the strengths and weaknesses of Islamist parties throughout the study, and how they managed to get into power through fair means and foul. But one of the important factors that helped Islamists seize and maintain power is the weakness and division among secular parties, right from the outset. There were two main secular parties, INA and INC, with two formidable and resourceful leaders, Dr Ayad Allawi and Dr Ahmed Al-Chalabi. But they were so hostile to each other that they preferred to form alliances with Islamists rather than with each other.

Ahmed Al-Chalabi joined the main Shia list, UIA, and became deputy PM in 2005. When UIA splintered into two lists, SoL and NIC, he joined SIIC within NIC. Ayad Allawi had a unique opportunity when he was chosen to be the interim PM in 2004, but he was unable to unite secular groups under his leadership. When he lost the premiership in 2005, he remained at the political periphery until 2010 when he formed an alliance with Sunni Islamists such as Tarik Al-Hashimi and Mahmoud Al-Mash-hadani and others, but couldn't make rapprochement with Ahmed Al-Chalabi or other secular groups and personalities. Although he managed to maintain his nationalist line, the group he was leading looked more Sunni than pan-Iraqi. Allawi admits that secular parties have failed. 'National and socialist parties have failed after decades of being in power'.[1195] He attributes the failure to external factors such as Cold war although he admits they are also due to intrinsic factors.

The third secular force was the Dialogue Front led by Dr Salih Al-Mutleg. Although Al-Mutleg was able to join with Ayad Allawi in 2010 to form the Iraqia List, it was a temporary and fragile alliance that disintegrated immediately after the elections when Mutleg abandoned Iraqia and joined the Maliki government, becoming deputy PM. Ahmed Al-Chalabi died in November 2015, and his INC party has no prospect of remaining in politics, since it was almost a 'one man show' right from the beginning.

[1195] Appendix-1, p32

Allawi has maintained his pan-Iraqi secular nationalist stance, but he failed to form a true democratic party with obvious successors should he decide to retire, considering he is now 72. Al-Mutleg has apparently given up on pan-Iraqi nationalist politics. After the 2014 elections,[1196] in which he lost half of his parliamentary seats, he joined the Sunni alliance of UIF.

For democracy to succeed, there must exist a united, dynamic and really democratic national force with clear policies and charismatic leaders. This has continued to elude Iraq. Former PM Ayad Allawi acknowledges that secular parties have also failed. Dr Fareed Ayar charges 'secular parties in third world countries are too negligent'.[1197] Dr Wahda Al-Jumaili hopes to see a civil state that believes in human beings and asserts this can only develop if 'civic parties that believe in humanity before anything else develop'. She blames secular parties for lacking serious propositions for a national inclusive plan.[1198]

Dia Shakarchi blames secular parties for being hesitant in declaring their secular views while Hani Fahs says 'secularism has a bad connotation in our culture' although it's associated with democracy.[1199] Dr Kamal Field asserts that people are influenced by the views of clergymen or tribesmen because 'the options available…are a few'.[1200] This shows if there was a solid secular movement, the electorate will have more choice. Dr Akeel Abbas argues 'without secular parties that transcend sects and ethnicities, Iraq will continue to be prey to sectarian and ethnic strife'.[1201]

As we saw earlier, Islamist parties have united at crucial times to defeat their opponents, and this has happened in 2005, 2010 and 2014, while secular parties have failed to do so. In 2010, there was one strong list (Iraqia) but it was made up of disparate Islamist and nationalist parties which were not able to last long. Unless

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[1196]   Election Guide-Iraq-2014: http://www.electionguide.org/elections/id/2425/
[1197]   Appendix-1, p81
[1198]   Ibid, p108
[1199]   Ibid, p55 & p5 respectively
[1200]   Appendix-1, p90
[1201]   Appendix-1, p87

there is a solid secular and democratic movement that has a long term political aims (as opposed to personal ambitions of individual party leaders), Islamist parties would continue to dominate the political scene in Iraq. Since Islamists, by their own admission, are not committed to liberal democracy, this will continue to be an impediment to democracy.

7
Absence of Capable National Leaders

The Iraqi democratic process has failed to produce national leaders and statesmen who command national respectability and approval. In the words of Ali Allawi 'there were only Shia, Sunni and Kurdish politicians, a smattering of self-styled liberals and secularists, each determined to push their particular agenda forward'.[1202] Dr Kanan Makiya describes the political class as 'small men with no vision. They treated Iraq as booty'.[1203] Samir Sumaidaie calls the whole process 'kleptocracy'.[1204] Maysoon Aldamluji lists the lack of vision among the ruling elite as one of the obstacles to democracy.[1205] Dr Wahda Al-Jumaili, too, blames the 'discord, division and weakness of social peace and favouring sub-identities over national identity' on the failing of politicians who are decision makers.[1206]

When the people are divided ethnically and religiously, political leaders cannot win without using sectarian rhetoric. Islamists are divided even within the same sect. Secularists are always divided. This problem will continue until leaders with national, cross-sectarian and cross-ethnic discourse are found. One of the main reasons for the success of the Spanish democratization was the 'innovative leadership of Prime Minister Adolfo Suarez'.[1207] He managed to stir the democratization process delicately but steadily, including all political forces but insisting on the application of basic democratic principles such as holding national elections and articulating key

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[1202]   Allawi-(2007)-op.cit.p460
[1203]   Appendix-1, p137
[1204]   Appendix-1, p15
[1205]   Ibid, p76
[1206]   Ibid, p110
[1207]   Linz& Stepan-(1996)-op.cit.p93

issues of democracy. One of the factors contributing to the first and second reverses according to Samuel Huntington was the weakness of democratic values among key elite groups and the general public.[1208]

Iraq has no capable leaders who can rise to the status of nation builders. Without principled and inspiring leaders, with clear vision for the future, democracy cannot be consolidated and reversal could take place or worse, disintegration of the country.

[1208]   Huntington-1991-op.cit.p290

Chapter 13

**Conclusion
Recommendations for Reform
&
Implications for Academic Research**

Conclusion

The original contribution of this thesis to the body of knowledge is that it has identified the main impediments to democracy in Iraq and provided an insight, through its recommendations, into finding ways to overcome those impediments and consolidate democracy. The study has explored the democratization process in Iraq thoroughly, examined it from within, taken the opinions of different participants, experts and observers, compared it, in certain relevant aspects, to the experiences of other countries in southern Europe, eastern Europe and Latin America, which have democratised in the last few decades and finally weighed up the progress made so far and the challenges ahead, in an academic and impartial way. Although this study pertains to Iraq, it can be generalized in many of its findings to other Arab and Muslim countries because Iraq shares, in varying degrees, many cultural and religious characteristics with Arab and Muslim countries.

Since democracy is a new phenomenon in the Arab world, this study sheds some light on impediments facing democracy in Arab and Muslim societies, and therefore, it has enhanced the theory of Arab democracy.

One of the basic pillars of democracy is liberalism and this has been explored in detail taking the thoughts of one of the leading scholars of liberalism, John Stuart Mill, into account. It has also examined the role of religion in politics and examined in details the ideas of one of the most important political thinkers in this field, John Rawls, who has studied this phenomenon in depth and provided some important insights which I believe can be useful to the Iraqi experience. Rawls ideal of a political conception of justice that is 'free-standing' in order to appeal to all citizens is

what is needed in Iraq. Our modern society, as described by Rawls, is characterized by pluralism, objection to oppression, quest for justice, debate, and dissensus. Therefore, no single religion or philosophical doctrine can be affirmed by all free people. Thus, in order to enable all citizens to feel equal, it's important that the democratic state doesn't adopt any religious or philosophical doctrine.

The thesis also explored democracy as a concept and how it developed over the years and what are its main institutions and benefits through the ideas of Robert Dahl, Joseph Schumpeter, John Dunn, Samuel Huntington, Juan Linz, Alfred Stepan, Adam Przeworski, John Keane, Barrington Moore and Larry Diamond. Their ideas were not accepted entirely but compared and discussed in connection with realities in Iraq. Since democracy cannot just happen without a preliminary process of liberalization and democratization, there was a need to examine the experiences of other countries such as Spain, Portugal, Greece, and Latin American and Eastern European countries. Each country has a different process depending on the type of the non-democratic regime it was governed by.

In Eastern Europe, the Polish experience was totally different to the Romanian one because the non-democratic regimes in both countries were different. Similarly, the Spanish experience, which was considered most successful by Juan Linz and Alfred Stepan, was different to the Greek one or even to that of next door Portugal. Democratization becomes a lot easier if the non-democratic regime was authoritarian as was the case in Spain and Poland. But it becomes a lot complicated if the previous regime was totalitarian, post-totalitarian, or worse, Sultanistic or personal dictatorships such as Romania and Iraq.[1209]

In addition to the complication left by the previous regime, which could be formidable, especially if it was totalitarian or Sultanistic, under which democracy crafters have to start from scratch by establishing political, civil and economic societies, as well as rule of law and functioning bureaucracy, there are other problems to be considered such as stateness, economic development and educational standard.

[1209] Samuel Huntington regarded Saddam's regime as 'personal dictatorship'. (Huntington-(1991)-op.cit.p41)

Spain was considered a classic example of success since it had irredentist tendencies in the Basque and Catalan regions but it managed to overcome them. It surpassed all the problems due to the exceptional qualities of Prime Minister Adolfo Suarez, the support it received from the European Union and US, the sequence of elections (national then regional) and the inclusive policies that were pursued, allowing all political parties to participate in elections, even those connected to irredentist tendencies and terrorism.

This success may not have been possible if it wasn't for the liberalization policies and openness of the authoritarian regime of Gen. Franco. Iraq could have benefited, and perhaps it could still do so, from the Spanish experience of inclusiveness and dealing with irredentist tendencies.

The type of democratic system is also important for any democracy. A presidential system gives more powers to the president who owes his powers directly to the people who elected him/her, and therefore, doesn't always conform to parliament wishes, while a prime minister has to always satisfy parliament which has the power to withdraw confidence from him/her. The study didn't elaborate on this issue because Iraq has already adopted a parliamentary system which is regarded as better for countries which are ethnically and religiously diverse.

In order to be relevant to Islam, which matters a lot in the Iraqi recent experience, the thesis explored the thoughts of Sheikh Ali Abdu-Razik on the issue of caliphate/imamate, or Islamic government, which he proved was not necessary in Islam, if not harmful to it. The thesis also examined, as time and space allowed, the thoughts of other important scholars such as Hani Fahs, who was interviewed exclusively for this study, Muhammed Mahdi Shamsuddeen, Muhammed Hussein Fadhlalla, Abdulla Nuri among others, who believed (respectively) in secular democracy, people's right to decide for themselves on how they live or be governed, the state of the human beings and nothing is absolute except God.

There is no role more relevant to democratization in Iraq than the one played by the Shia spiritual leader, Ayatullah Ali Sistani, which was largely positive but controversial due the exploitation of Islamist parties of his position. Sistani insisted on holding elections for the national assembly, not favoured by the Americans and

some secular Iraqi parties, and also encouraged the people to vote and limited the role of Islamists parties in connection with the permanent constitution. I examined the two trends in Shia Islam, the quietist tradition of Ayatullah Khoei and interventionist trend of Ayatullah Khomeini. Ayatullah Sistani stands in between, but closer to Khoei than Khomeini. No unnecessary intervention but no complete abdication of politics.

I have clearly identified what I regard as impediments to democracy after studying the process from different angles. I identified 20 impediments to democratization in Iraq. Some of which can be overcome easier than others since they are not on the same level. Most of them could be overcome if the political will existed and the right leaders were found but only with the support of the international community. Other impediments such as stateness, role of religion, sectarianism, divided polities and absence of innovative leaders would require exceptional efforts on the part of Iraqis first, but the international community can still back real democrats in Iraq when and if the will to promote democracy exists.

Democracy in Iraq has faltered but it has not failed completely since it's still going, although with difficulty. There are many challenges ahead, some of which maybe insurmountable without support from a strong sponsor. Only the US can deliver such support, but the US seems to have given up on democracy in Iraq. Democracy has many enemies, internal and external, and may not survive without international support and protection.

Some of the ingredients for democracy, such as freedom of expression, access to communication and pluralism, are present and maybe permanent. Others, such as personal freedoms, human rights and legal rights are not always available and could be taken away if Islamist parties consolidate their control over the country. On 22nd of Oct 2016, Islamists passed a law banning the production, importation and distribution of alcohol in Iraq. More strict applications of Sharia might be on the way if this law is not reversed. Although it's in the interests of all parties concerned to make the system work, since the alternatives are harmful to everyone for the time being, but some groups believe they have more rights, or power, than others and hence conduct their affairs accordingly.

Adam Przeworski states that because 'any order is better than a disorder, any order is established'.[1210] I believe this is what has prevailed so far in Iraq; 'any order'. But the battle between different forces is still flaring. However, according to Hardin (1987), democracy has never been internally subverted in any country in which it lasted for twenty years with the exception of Uruguay.[1211] Democracy in Iraq is 12 years old. Academic Dr Akeel Abbas contends 'without secular parties that transcend sects and ethnicities, Iraq will continue to be prey to sectarian and ethnic strife'.[1212]

Even secular parties find themselves "forced" to adopt religious rhetoric which gives the entire political and electoral process a false religious character that is not truly representative. This false spirit of political religiosity will deepen sectarian identities and undermine Iraq's national identity. I argue that as long as the electoral system allows parties based on religion, sect and ethnicity, to operate, it will be difficult to achieve fully-consolidated democracy.

Democracy could progress if western countries have wider engagement with Iraqis, and if they really help the forces of modernity, moderation and reason which are formidable if they can organise and coordinate their efforts. As Larry Diamond acknowledged 'it requires a prolonged international engagement with Iraq costing billions of dollars and lasting for a number of years'.[1213] It looks that the Islamic Republic of Iran has the upper hand, currently and in the foreseeable future, because it has worked hard to build good relations with most political groups.

The US has recently increased its involvement in Iraq in an effort to help the country rid itself of the terrorist challenges. But so has Iran. If the US involvement is consolidated, it will strengthen the hands of the democrats and forces of moderation and reason. Iraq, even under Islamists rule, will need the help and support of the international community, given its current economic difficulties. This is a window the international democratic forces could use to really support democracy. Economic

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[1210]   Przeworski-(1991)-p86
[1211]   Ibid
[1212]   Appendix-1, p87
[1213]   Diamond-(2005)-op.cit.p19

help should be conditional on achieving progress on democracy and respect for civil liberties. If the US withdraws again, Islamists, and their Iranian backers, will have the upper hand for a long time to come. It's a continuous battle between forces of modernity and conservatism, secularism and religiosity.

There is no single route to consolidation of democracy. It's a 'process through which acceptance of a given set of constitutional rules becomes less directly contingent on immediate rewards and sanctions and increasingly wide-spread and routinized'.[1214] It's 'the transformation of the institutional arrangements and understandings that emerged at the time of transition into relations of cooperation and competition that are reliably known, regularly practiced and voluntarily accepted by those persons or collectives that participate in democratic governance'.[1215]

Democratization in Iraq is a flaring battle between the modernists and the traditionalists, federalists and centrists, separatists and unionist, Arabist and Iraqists, and more importantly, between Islamists and secularist. It's going to be a long battle, but democracy will eventually triumph, as it has done elsewhere in the world, when a compromise is reached. Democracy has arrived in Iraq through an arduous and unorthodox route. It has given people freedom and dignity after long years of fear, oppression and humiliation. Islam and democracy must be reconciled in order for them to live side by side, supporting and protecting each other.

Democracy can and will support peaceful and humane Islam, but what needs to be established is whether Islam can also reciprocate and support democracy. The enemies of democracy, with their foreign backers, are trying to set it against Islam for short-term political gains for them and strategic gains for their backers. They have succeeded but only partially. The challenge ahead is how can democracy survive in this hostile environment with so many formidable enemies? *The tie and the turban* will continue to interact and the battle will continue for generations to come. Instead of defeating each other, they can live alongside each other since both are there to serve humanity.

[1214] Haggard & Kaufman(1995)-op.cit.p15

[1215] Ibid

Recommendations for Reform and Further Research

Finally, the study finds that for democracy to consolidate in Iraq the following points need to be explored further and addressed:

1- The clear evidence from the research carried out for this study, strongly suggests there is a stateness problem in Iraq which means there is a need for a radical redrawing of institutions and perhaps also of the map of the nation. There cannot be consolidated democracy and freedom in Iraq until the issue of the Kurdish people is properly addressed. As long as the Kurds aspire to join a state other than the Iraqi one, their commitment to Iraq will be questionable and compromised. Democracy requires all the citizens of the state to feel part of it, obey its laws and work towards strengthening the economic and political system. This is not happening now because of the ambiguity of the Kurdish issue. The Kurds want to establish their own state but they are unable to because neighbouring countries do not accept it. This is likely to continue in the foreseeable future and it means continued instability for Iraq.

2- The Iraqi Constitution is ambiguous and contradictory at certain points. It must be amended in order to remove all ambiguous articles and restrictions on democratic activity and amendment. In particular, articles 2 and 142-4th must be repealed. Research must continue to find the most suitable constitution for a democratic Iraq.

3- Iraq needs to adopt a totally secular modern system that rejects all types of discrimination between citizens. A total separation between religion and politics is needed to preserve national unity and social harmony and enhance national identity. Civil society is the right place for all religious and philosophical debates.

4- Most political parties are currently based on religion, sect or race. For a stable country, political parties need be formed on national political and economic basis and no national party should be established on the basis of ethnicity, religion or sect.

5- Iraq has suffered from outside interference in the past. Therefore, and in line

with international norms, all political parties, groups, unions, syndicates and organizations must not have secret dealings or relationships with foreign countries or organizations. All their dealings must be declared. This should be enshrined into law.

6- Iraq needs a proportional representation electoral system, with the whole country as one constituency. This will ensure a wider representation for all groups, especially minorities and those with spatial differences. This system will reduce tension since it guarantees representation for all groups with substantial followings.

7- Iraq has been depleted of its educated and skilled people who have immigrated to other countries. This phenomenon needs to be halted through giving incentives for people to stay and for those abroad to return. For democracy to be consolidated, the country needs to retain its young, capable and professional workforce. No discrimination should be allowed between Iraqis on any basis and all rights acquired by Iraqis abroad must never be used as a basis for discrimination. Further research into the problem could provide further evidence of the magnitude of this serious brain drain.

8- Deba'athification, or Accountability and Justice Law, has hindered Iraq's progress since it has deprived it from experienced managers and professionals. This law needs to be abolished and all cases of abuse during the previous regime must be dealt with by ordinary courts. Further research into the damage this law has caused to Iraq as well as the perceived benefits could provide more insight into the problem and possible solutions.

9- No Iraqi citizen, except those convicted of crimes, should be barred from participation in the democratic process or holding any public office at any level. Currently, there are legal and practical impediments to people's participation. This is related to laws introduced to bar certain people from holding public office, such as the Accountability and Justice Law.

10- All armed groups outside the army and police must be banned. Ways need to be found to incorporate current militias within the state, giving them specific

national tasks to implement, as happened in the US after independence. This area is very ambiguous at the moment due to the secret nature of militias and their incorporation into the Popular Mobilization Unit (PMU) or *Hashd*. Further research could uncover more evidence as to the scale of the threat militias pose to democratization and the stability of the country.

11- The electoral commission must be totally independent of political parties and nominations and appointments to its managerial board must not be done through political parties. They should be administered through the judiciary with international monitoring. The commission should have its own independent regulatory body that is open to regular monitoring by international bodies and civil society organizations. The UN should be involved in the selection of IHEC's management board as was the case with the first one in 2004 which is regarded as efficient and impartial.

12- Similarly, independent commissions must be fully independent and each of them must have its own independent regulatory body to oversee its performance and make its findings available to the public. No partisan nominations to the executives of these commissions should be allowed.

13- Since democracy is linked to the free market, Iraq needs a diversified market economy and the government must encourage, enhance and support the private sector and allow and encourage the development of the middle class. This must not be done at the expense of comprehensive welfare system that ensures basic support for the poor, needy and the sick.

14- Revenue from natural resources, such as oil and gas, must be paid into a fund which can only be used to support the Iraqi state infrastructure. Iraq must cease dependence on oil revenue so that its government would be more accountable to taxpayers. Further research into this phenomenon will be helpful to disclose how damaging oil revenue has been to the democratization process and how it has enticed officials to be corrupt.

15- Employment in state institutions should be done through a central system and on the basis of merit. No political, familial, racial or sectarian consideration

should be given to any appointment.

16- Government activities should be open and transparent and all transactions and procedures should be simplified and done electronically in order to prevent corruption. The principle of good governance and e-government should be applied to reduce corruption and speed up procedures.

17- Sectarian and racial discourse inflames hatred and tension between different people must be eliminated from public debate and this should be done by the legislation and regulation of the media and the establishment of an independent monitoring body. The whole area of political discourse vis-à-vis religious discourse needs a thorough and detailed research as to which religious discourse is less harmful to democratization and which one isn't.

18- All Iraqi media outlets must be independently funded and administered, and no partisan or sectarian channels should be allowed. The state broadcaster, Al-Iraqia (IMN), needs to be independent and run by non-partisan professionals in order to deliver impartial and accurate information to the Iraqi public at large.

19- Educational institutions should be run by an independent and apolitical body which must ensure that all Iraqis are entitled to free elementary and secondary education which must be compulsory to guarantee a minimum standard of education. University education should be regulated according to the needs of the country and means available to the state. Incentives should be available for students to enter certain fields that are currently less popular but are vital for the economy. The area of elementary, secondary and university education needs to be explored further in line with the needs of the economy and the financial abilities of the state.

20- The independence of the judiciary should be treated as sacrosanct and an independent regulatory body should be established to monitor the activities of judges, lawyers and the courts to ensure high level of propriety and conformity with the law and professional conduct code. Judges should also be guaranteed protection for life in order to give them the self-confidence needed

to administer justice fairly and without fear. This is important in a tribal society where revenge is commonplace.

21- Police must be trained and educated to the level required by a democratic modern state. They must particularly be exposed to international human rights conventions and laws. There should also be an independent body to monitor their performance.

22- International conventions on human rights, trade, economic development and labour must be respected and Iraq should sign and abide by all international conventions and norms which are vital for the consolidation of democracy. This will enhance Iraq's integration in the democratic international community and protect Iraq's democratic institutions.

23- With all due respect to all cultural, religious and tribal values that people observe, the ultimate arbiter in the country should be the law of the land. No Iraqi should be exempt from the law and no arrangement should be allowed to subvert the law under any circumstances. However, tribal and religious values that accord with international law and democratic principles can be tolerated and further research is needed as to what extent can these values be tolerated and which ones support public reason and which ones are entrenched that need a long time to disappear. Different parts of Iraq vary in the strength and type of tribal values people observe and any research should take this into consideration.

24- The ministry of culture should play a pivotal role in enhancing public belief in democracy, human rights, respect for diversity, personal freedoms and the peaceful resolution of disputes within society. Ever since democratization began, the ministry of culture has been neglected wittingly or unwittingly with disastrous consequences. Iraq is new to democracy and lacks democratic culture and this should be the realm of the ministry of culture or functionally similar institution. Research into the type of activities the ministry of culture should engage in is urgently needed.

25- There is a need to nurture and sponsor reforms in religion so that it can

conform to democracy and modernity. Moderate forces need to be supported so that they become effective in persuading people that social, political and economic progress can only be made in moderate and peaceful endeavours. The educational and cultural establishments should sponsor debate on the role of religion in a modern society in order to educate people that there should be no conflict between religious ideals and modern democratic principles and civil liberties which form the basis for democracy.

These reforms will consolidate democracy, enhance fairness and strengthen national identity, increase social harmony and stabilize the country politically and economically.

Implications of the Study for Academic Research

The implications of this study for academic research are numerous but the most important of which is exposure of the impediments to democracy posed by the employment of religion and sectarianism into politics. This aspect of Iraqi politics has been thoroughly researched by considering the views of religious leaders, politicians and intellectuals. This will enhance further research into this field where potential researchers will find all the views of important intellectuals detailed in the fifty interviews I have conducted.

One other implication of the study is the finding that for democracy to be consolidated in any country, it needs strong international sponsors, friendly, or at least not so hostile an environment as well as economic incentives as those provided by the EU and US to Eastern European countries (EU membership and financial help). Researchers into democratizations in the Arab world will need to explore this area further and take into consideration the fact that democracy is seriously challenged to the point of failure without international guarantees of support and regional acceptance which is another important area that needs further research. Hostile environment can cause democratization to fail of falter as happened in Iraq.

Researched I needed to find out how fearful regional undemocratic powers are of a successful democracy in the area and why should a democracy be harmful to them.

Another implication is that the study has found political inclusion to be helpful to democratization and exclusionist policies cause more harm than good to democracy as we saw in Iraq in the Deba'athification Law which alienated a large proportion of Iraqi society and pushed many people to carry arms against the democratic regime.

 The Tunisians have come to this conclusion and dropped the law of political exclusion, benefitting from the Iraqi experience. Political inclusion and tolerance are imperative for the success of democratization, even with the existence of irredentist tendencies. They tend to deprive extremist groups from the popular support they rely on for their existence. In the end they disappear when people feel they do not need to be different since they are all equal. Spain is a case in point. This aspect needs to be further examined in any new research into democratization since it has now been proven through the success of the Spanish experience and the failure of the Iraqi one.

Glossary

Ahrar   [The free] name of a parliamentary group of the Sadrist Trend in the Iraqi parliament

As-Sadiqoon   [The Truthful], parliamentary bloc for *Asa'eb Ahlul Haq':* an off-shoot of the Sadrist Trend

Asa'eb Ahlul Haq [the Leagues of the Followers of the Righteous Path: Iraqi political movement

Ayatullah   Shia theological rank, second highest after grand ayatullah

Badr   [full moon]; militia turned political party. 'Badr' was 1st victorious Muslim battle in the 7th century.

Da'awa   [Call]: a political party in Iraq

Hadeeth   A saying of the Prophet Muhammed (plural; ahadeeth)

Fadheela   [Virtue], name of a political party in Iraq]

Faqeeh   Jurisprudent

Fatwa   Edict

Hussainiya   Shia religious centre named after Imam Hussein

Ijtihad   [discretion]; the ability to pass a religious judgment, a stage in the Shia theology where a student becomes qualified to pass a religious opinion

Imam   Literally 'leader' of congregational prayer, but in Shia Islam the term is used to refer to each one of the 12 imams, beginning with Ali Bin Abi Talib and 11 of his descendants who are believed to be infallible and possessing divine knowledge

Jihad   Holy war that is declared by a high religious authority [marji3]

Jihadist   Militant *Salafist* Muslims advocating and/or involved in armed activities against those they perceive as enemies of Islam

Jubba   Islamic religious garb

Marja'iyyah   The supreme religious authority who can issue legal rulings [fatwa] in Shia Islam

Marji3   Supreme legal authority in Shia Islam whose legal rulings and edicts are binding on his followers. [The digit 3 signifies an Arabic sound called (*ain*) that doesn't exist in English]

Mathahib   doctrines, singular is (*Math-hab*)

Mukhabarat   The intelligence apparatus

Mujtahid   Senior cleric with authority to issue religious *fatwas* (edicts)

Muttahidoon   [United], political group led by Usamah An-Nujaifi

Salafism   Sunni Muslims following the pious predecessors [*salaf*], i.e. the first three generations of Muslims

Salafist   Follower of *Salafism*

Sayyid   a Shia religious title which reserved for Shia clerics who are descendant of the Prophet Muhammed.

Shia   [followers] & a Muslim sect or its followers

Sunnah   [tradition], particularly the tradition of Prophet Muhammad & a Muslim sect

Sunnis   Followers of the Sunni sect

Takfeer   Excommunicating other Muslims and declaring them as non-believers

Thawrah   Revolution

Uhud   A Mountain between Makkah and Medina where a battle took place between the Muslims and the pagan Arabs in which the Muslims were defeated.

Ummah   Muslim community

Wataniyyah   Patriotism

Wilayet Al-Faqeeh [Rule of the Jurisprudent]; a Shia system of government
devised by Iranian leader Khomeini and prevalent in Iran

Wilayatul umma ala nafsiha [the jurisdiction of the nation on itself], a concept
of democracy developed by the Lebanese late scholar,
Muhammed Mahdi Shamsuddeen

Yaldiz   Ottoman palace in Istanbul where the Ottoman Sultan used
to live

Yazidis   A religious group based in the province of Ninawa in
northern Iraq

Zakat (or zakah)   A Muslim religious tax levied 2.5% of a believer's total assets
and financial wealth

Al   Definitive article in Arabic which usually precedes most
surnames. It changes to *(at, ath, ar, az, as, ash, ass, adh,* and
an) depending on the letter it precedes (it become *an* (i.e. An-
Nujaifi) when it precedes the letter *n*, *as* (i.e. As-Sadr) when it
precedes the letter *s* and so on). However, most writers keep it
(*al*) at all times to avoid confusion.

List of Abbreviations

AF	**Accordance Front**
BP	**Ba'ath Party**
BO	**Badr Organization**
CDA	**Civil Democratic Alliance**
CPA	**Coalition Provisional Authority**
CPA	**Commission for Public Integrity**
CPJ	**Committee for the Protection of Journalists**
IDM	**Islamic Da'awa Movement**
IDP	**Islamic Da'awa Party**
IDP-IO	**Islamic Da'awa Party-Iraq Organization**
IFD	**Iraqi Forum for Democracy**
IFP	**Fadheela Islamic Party**
IHEC	**Independent High Election Commission**
IIP	**Iraqi Islamic Party**
IL	**Iraqia List**
INA	**Iraqi National Accord**
INA	**Iraqi National Alliance**
INC	**Iraqi National Congress**
IRDC	**Iraqi Reconstruction and Development Council**
KA	**Kurdish Alliance**
NDF	**National Dialogue Front**
NIC	**National Iraqi Coalition**
NA	**National Alliance**
PL	**Patriotic List**
RT	**Reform Trend**
SCIRI	**Supreme Council for the Islamic Revolution in Iraq**
SIIC	**Supreme Islamic Iraqi Council (previously known as SCIRI)**
SoL	**State of Law**
ST	**Sadrist Trend (*Ahrar or the free*)**
UIA	**United Iraqi Alliance**
UIF	**Union of Iraqi Forces**

Appendices

There are 13 appendices attached to this thesis. Below are details of their contents. Picture files have got to be opened with the right programme such as 'Microsoft Office Picture manager' while documents can be opened with Word:

Appendix 1 lists 50 general interviews with politicians, experts and activists

Appendix 2: Quotes from public figures translated from Arabic

Appendix 3: Election brochure by PM Ibrahim Al-Ja'afari in 2005 which has his photo on a prayer book.

Appendix 4: Hostile election poster which portrays PM Ayad Allawi as a Ba'athist in a military uniform that invokes Saddam Hussein's memory.

Appendix 5: UIA election poster with a photo of Ayatullah Sistani

Appendix 6: Election poster for UIA List No: 555 with a photo of Ayatullah SIstani

Appendix 7: UIA poster with a photo of Ayatullah Sistani and its list number 169.

Appendix 8: A poster for PM Al-Maliki associating himself with the historic Shia leader Al-Mukhtar who took revenge for the killing of Imam Hussein.

Appendix 9: A photo of Shia political leaders, Abdul-Azeez Al-Hakim, leader of SIIC, Hadi Al-Amiri, leader of Badr Organization, and Adil Abdul Mahdi, Vice President and senior member of SIIC, 'cooking' in public in the Shia Ashoora religious remembrance of Imam Hussein in their attempt to market themselves as pious Shia faithful.

Appendix 10: Presidential order appointing the daughter of President Fuad Masum, Jawan, as advisor to the president.

Appendix 11: A poster showing Ayatullah Kadhim Al-Haeri's fatwa against voting for secular parties

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Appendices

1

Expert Views on Democratization

Introduction

I have conducted interviews with several people who I thought relevant to the subject of democracy and democratizations and who are informed about the subject as well as the impediments facing democracy in Iraq. Many are politicians who participated in the political process, some were ministers or government officials, including one former prime minister, one former interior minister, one national security minster, one former minister of state and current member of parliament, several leading members of parliament, the president of the first Independent High Election Commission (IHEC), Member and Spokesman of the first IHEC Council, several leading authors, academics, writers, former members of parliament, leaders of political movements, Islamists, former Islamists and secular, intellectuals and clerics, men and women, experts on business, economics, law, politics and sociology. I have also interviewed a famous poet in order to have a literary input and how the literary community viewed events.

I have asked them the questions listed below and more in the case of those I have interviewed in person. Although the subjects of questions remain, but their structure, and order may change slightly from one person to another depending on the circumstances of the person or the interview. I have conducted some interviews on single subjects as the research progressed and more insight into the subject was developed.

Some of the interviewees have answered the questions clearly and directly, with some elaboration for some, while others have given short and/or vague answers to some of the questions, or not answered them at all even when I pressed them. I can speculate about the reasons, but I can never be sure. They perhaps didn't really know the answers or they didn't wish to make their true opinions public. I have spoken to many relevant people, and some have promised to cooperate with the research, including the current Prime Minister, Dr Haider Al-Abadi, who was among the first I contacted in 2012, when he was a member of parliament, but some, Al-Abadi included, failed to cooperate for their own reasons. The interviewees listed below are the ones who did cooperate and gave me their frank answers.

Sample Questions for the interviews

This is the list of the initial questions which I have either sent to interviewees by email or had with me to remind me of the questions. As can be seen from the interviews, the questions varied and increased as the research progressed. Below is just a sample since I added to them and conducted some interviews with just one question:

1- What are the cultural and religious impediments to the establishment of a fully democratic system in Iraq?

2- Since democracy depends largely on the free will of individuals to vote for their preferred party, do you think that a religious fatwa, be it real or false, in favour or against, any party or individual candidate, impedes the democratic process?

3- Do you believe that tribal, sectarian or regional affiliation or bias impedes democratisation in Iraq?

4- Do you believe that a secular party is better placed to be fairer and more democratic than a religious one?

5- In the light of the pluralistic nature of Iraqi society, do you believe that an electoral system that includes only secular parties is better for the country than one which allows religious parties who may appeal to people's sense of religious or sectarian loyalty, rather than their economic well-being which might be served by this or that political party?

6- Do you think that wearing a religious cloth or using religious rhetoric helps politicians get more votes in a religious society such as the Iraqi one?

7- If religious rhetoric helps politicians get more votes, do you think that this very fact encourages the non-religious to pretend to be religious in order to get more votes, even though they are not religious in actual life?

8- What effect in your opinion will this double standard have on politicians performances and consequently on people's lives?

9- Do you believe that people in Iraq have actually voted in the last three elections according to their religious and sectarian affiliations?

10- Do you believe that using religious and sectarian slogans have helped to bring unqualified officials to power who may have hidden their inabilities behind their religious rhetoric?

11- Do you believe that democratizations in Iraq have failed over the last ten years?

12- If yes, can you enlist the main reasons for this failure?

13- Have you noticed any positive signs for democracy in Iraq over the last 11 years?

14- What are the prospects and challenges for democracy in Iraq and what sort of time frame can you give for a true democratic experiment to take root in Iraq?

Interview 1

Sayyid Hani Fahs

Sayyid Hani Fahs, Lebanese scholar, prominent religious leader, and writer who studied theology in Iraq during the 1960s and 1970s and was very well-versed in Iraqi and Shia religious and political affairs. The interview was conducted in his home in Beirut in the autumn of 2012. It was recorded on a tape recorder. Sadly, Sayyid Hani Fahs died two years later, in mid September 2014.

Answers

I would say that 80% of the blood spilt in history is shed because of religion, over religion, or for politico-religious reasons. Our religions stand accused (of causing violence), even the religious text stands accused. We must agree to live together and we must agree that salvation is an individual not collective (effort), and the space of religion has room for all of us.

We must go to the religious text agreed on one view. If it accords with it, then it's fine, if it doesn't, we must interpret it in the right way (to suit modern life). If it cannot be interpreted (in the way we want it), then we should stand before it and say: 'You the religious text is sacred because we have said so'. If the religious text is rigid, then it loses its status as a sacred text and it becomes outside history.

Christianity was established on the principle of abolishing the religious law. Christian worships are optional and have no obligatory aspect. The establishment of Christianity was on the basis of abolishing religious law and this is what has given it the ability to last and regain the space of the spirit as an alternative for religious obligatory law.

As for Judaism, it is in the utmost difficulty because it is overwhelmed with religious legislation. The reason is because it's a worldly idea and has no afterlife. Its legislations are so harsh to the point that it is almost limited to legislation, and this has descended to Islam and we are almost limiting Islam to legislation, while legislation in fact constitutes only one fifth of Islamic thought. We must humanise religion and read the details very well and make the big ideas overrule the fine details. This is probably the reason behind the establishment of 'the jurisprudence of the aims' (*fiqh almaqasid*) in Islam.

If we want to activate the humanitarian dimension of religions, we cannot do that except through the civil state. I avoid saying (secularism) even though I mean it, because the word (secularism) has bad connotations in our countries. Arab secularists were ideologues and fundamentalists. The challenge for us is to produce our secularism and our democracy because these concepts must go through our cultural and social peculiarities. If we continue to apply tried experiments, we will never be able to do anything. There is no general comprehensive definition for secularism. When we say secularism we mean democracy since the final aim of secularism is to establish democracy. Secularism establishes the state of individuals not groups. The aim of democracy is to reach secularism, and secularism without democracy is not really secularism.

The principle of separation of religion and politics needs to be applied in the East. I agree that religion and state are two different and changing concepts. They could integrate practically, systematically and functionally, but it must not be permitted to separate religion from social groups or individuals. The best option is enlightenment. Enlightenment is the solution, not 'Islam is the solution' (the latter is the emblem of the Muslim Brotherhood). Enlightenment means creating a state for individuals – a legal state where individuals have free choice and human rights to which we add from our peculiarities without annulling any of their original qualities. Human rights are one concept even though they have diversities.

Religious political parties

When we propose the civil state, with freedom of expression and democracy, we cannot reject the formation of any party. I would accept religious parties under the ceiling of the law. I also accept the communist party. There must be an administrative and epistemological system that forbids religious parties from forming, peacefully and through democratic means, a religious state. Western democracies didn't ban religious parties but they imposed the system and democratic culture on them. Democracy developed western religious parties. There were Christian parties in western democracies but they were developed later through democracy.

Iran must be looked at through liberal eyes. It has reached a stage where there is no religious party at all, there is only religious authority. There are Iranian generations, even from the generation of the revolution, who have passed the stage of reforming the regime to the stage of toppling it, which means toppling religion. We must nurture democratic persuasion through dialogue.

The Lebanese religious leader, Muhammed Mahdi Shamsuldeen, came from Iraq to Lebanon as a member of the Islamic Da'awa Party. But a few years before his death, he was transformed into believing in the principles of plurality and the nation's right to rule itself in the way it sees fit (*Wilayatul umma ala nafsiha*) or 'the mandate of the nation on its destiny'. Where did his ideas come from? They came from the Lebanese social culture which made him think that the existence of the 'different other' is a cultural necessity. He was unable to introduce an (Islamic) exclusive project (within the Lebanese pluralistic context).

In Tunisia, Rachid Al-Ghannouchi (the leader of Ennahda Islamic Party) realised the importance of the Tunisian secular experiment of President Al-Habib Bourguiba. He

read it in an advanced way and he wrote his PhD thesis on it. Tunis of President Zeinul Abideen Bin Ali did not tolerate him. Bourguiba's experiment in Tunisia was advanced despite its mistakes. The credit goes to President Bourguiba and also to the Tunisian People and religious jurisprudents who absorbed it.

Let's move to Sudan now and look at the example and intellectual experiment of Hassan At-Turabi, who is brave intellectually and let's leave out his political experiment which had some mistakes. At-Turabi understood the Sudanese experiment well, and looked at the position of women in it and the positions of Christians and idol-worshipers. He even permitted Muslim women to marry men from the 'People of the Book'. Where did he get his ideas from? They came from an accurate reading of the Sudanese social realities.

In Egypt, the regime fell and the Brotherhood and Salafis came out to introduce a culture that has no relation to the pluralistic Egyptian society where the Copts and Muslims, as well as the non-religious, live together. The Muslim Brothers outside power have limitless intellectual freedom. But when they became close to power, they started doing all sorts of unacceptable practices. Salafis have even interrupted parliament proceedings to perform the call to prayer (*athan*).

The Islamic Da'awa Party in Iraq benefited a lot form living in exile.

Muhammed Mursi (the Egyptian former president) must become president of all Egyptians, be they Muslims, Copts, Christians, Orthodox, Anglicans, Sunni, Shia, women and men, or he should abandon politics altogether. If he doesn't do that, his concepts will be exposed. The logic of the state is another culture. It's the real culture. The field experiment makes your knowledge deeper.

Iran is a 'Sunni state' because it is flexible. The Iranian state is a national state and Islam is a pretext for government.

'*Taqleed*' [emulation] in the Shia doctrine is limited to religious issues. I agree that Sistani's fatwa and what Al-Jazeera (TV channel) has said (two days before the Iraqi elections of 15th December 2005), were one of the most important stimulators of the election process in Iraq, and not necessarily applying the fatwa of the spiritual leader.

The spiritual leader usually encourages people to vote and does not issue fatwas, but people do not differentiate between fatwas and encouragement. The spiritual leader who issues a fatwa in favour of a candidate or against a candidate will end his comprehensiveness and he will fall. It is one of the arenas of the permissible

His position is to give guidance not commit people (to voting).

Sistani's agents (representatives), if they had become part of a specific election list, this was a mistake on their part. I am for the cleric and others to play their political roles, as this is a right for them as citizens. But the religious leader must not carry with him (in his political endeavour) the religion and religious authority. If he does, I (as a citizen or an ordinary Muslim following him) would tell him I won't follow your (political) opinion. God has not made this part of His worship (nor did He specify which form of a state a worshiper must follow or promote). The type of the state is outside the field of worship. It's in the space of reason and this is a common knowledge or collective mind.

When religion interferes in the making of a state, it corrupts it as much as it interferes in it. When the state interferes in the production of religion, it corrupts it as much as it interferes in it.

As for politicians wearing a religious cloth, I agree, there must be a suppression of some kind applied here to prevent it according to law. But this (prevention) requires a suitable historical moment and an appropriate religious culture. Those who wear the religious cloth should not engage in politics but it must be enacted within the law that has been promulgated jointly not by just one party.

In Najaf, there is no 'Wilayat Al-Faqeeh' (Rule of the Islamic Jurisprudent prevailing in Iran). Having said that, there is what is more difficult than this. There are religious jurisprudents who do not abide by the conditions of their religious mandate. They want to interfere in every fine detail on whim. We need religious seminaries (hawzahs) that mix between religious knowledge and civic knowledge. But the makeup of the personality of clerics does not help here.

Most clerics are people who possess power or they are manipulated by people in power in order to produce the jurisprudence of convenience. When the religious seminary (hawzah) is able to produce a cultured and knowledgeable cleric who has the freedom (of thought) and has more questions than answers, I would then approve of the entry of religious scholars into politics. When we (Muslims) reach the stage of (Bishop) Makarios, the late Cypriot President, whose church wasn't present with him in government, (then we can allow clerics and religious leaders to enter politics).

Muhammed As-Sadr (former Iraqi PM in 1948 who was a cleric) and Ali Ash-Sharqi and Muhammed Ridha Ash-Shabibi (former ministers of education during the

monarchy who were clerics as well) and other clerics at that time, preceded their time a lot. They were liberated from their (cloth) in areas which were very sensitive.

Being a religious leader means you are a sultan (someone who possesses '*sulta*' [power]), while state administration is the most authoritarian of all authorities and there are other powers under it. Therefore, a sultan, and by that I mean ministers, managers, governors, presidents and rulers, must not wear religious cloths (*jubba*).

Interview 2

Mr Samir Sumaidaie

Mr Samir Sumaidaie was a member of Governing Council 2003/2004, minister of Interior 2004, ambassador to UN 2004-8 and Ambassador to US (2008-2012). He is of Sunni Arab background and secular liberal. Mr Sumaidaie is also a poet and artist and highly educated. The interview was conducted via email and answers were received on 6th of November 2013 in English.

Answers

It cannot happen by chance

The Iraqi experiment of democratisation has not been successful. Clearly the whole political system has changed drastically from an institutionalized dictatorship based on a single leader, ruthless security apparatus and a personality cult, to something which is drastically different, and much more free and accountable. But although the new system has some of the trappings of democracy, it remains without some of the important institutions to make it work. A full description of the current "system" is beyond the scope of this reply. But, clearly, the lack of democratic culture among the leaders as well as much of the electorate makes it a 'democracy without democrats'.

A functioning robust and durable democratic system which meets the minimum criteria for democracy (not a perfect one; there is no such thing), cannot happen by chance. It is an evolution, and the result of a struggle between forces that have political power and do not want to relinquish it and other forces which struggle to devolve political power and make it accountable to the people. In Iraq, the intervention of the United States smashed an existing power structure militarily. But

other parts of that structure (cultural, financial, and social) remained potent and resistant to the new order which threatened their dominance.

Those who were deprived of political power under the previous dictatorship, and were organized enough to present themselves as the new leaders, namely the Shia Islamist political parties and movements (such as the Sadrists) saw an opportunity to grab power using the instruments of democracy (elections) but did not believe in democracy as a system of government. For them it is simply a ladder to get on top. So the effort made by the Americans to help install democratic structures such as a constitution and elections etc. were highjacked, sabotaged, and used as a stepping stone to jump to a position of power. Once that was achieved, power was consolidated using non-democratic means.

The backdrop to this is the hugely important fact that Iraq is a rentier state where oil is the main source of revenue and whoever controls it, gains immense political advantage by building a structure of patronage.

Chaos Theory

Coming back to the question, the above dynamic represents a real obstacle in the building of a democratic system. In a dynamic system such as a country in violent transition, Chaos Theory is very likely applicable, where a small divergence at the beginning results in disproportionate divergence at the end.

Add to the above internal dynamic with American intervention acting on it, there is also the external dimension represented by the influence of regional powers which see democracy building in Iraq as a threat to their survival (e.g. Iran, Saudi Arabia,

and Israel). The malign influence of these powers acts as a further impediment to democracy.

When you put all of these factors together, the obstacles are immense.

The short term (five to ten years) prospects for democracy in Iraq are dim, for the reason alluded to above. The long term prospect (twenty to thirty years, say) are difficult to predict, and will depend on a wide range of internal and external factors. If by "intertwine, you mean coexistence between" western democracy and Islam it is possible but conditional.

Islam is no more reactionary and anti-democratic than Christianity. Democracy couldn't have been established in Europe without forcing the Church out of the political arena. This came long after reforming the Church itself. The same has to happen with Islam. It has not happened yet. There was a reform movement in Egypt in the nineteenth century lead by Muhammed Abdu and Jamaluddeen Al-Afghani, but that did not survive the wave of reactionary Islam lead by Salafis, Wahhabis and the Shia clerics who ceased the Iranian revolution in 1979 and ruled Iran ever since.

Islam has to be reformed in such a manner that the more extreme interpretations of its tenets are banished and its softer, more humane and accommodating elements are promoted to a dominant position and the acceptance of the principle of the separation of religion from the state is accepted. Only then can democracy take root and thrive in Islamic societies.

Ruling Elite

It is important to add that this does not have to be the universal culture within the country for democracy to have a chance. It would be sufficient for it to be the culture

of the leading ruling elite as was the case in Iraq in the early twentieth century, and in countries such as Bangladesh and Indonesia today. It would, however, remain fragile and threatened until this becomes the predominant culture.

There is no such thing as "Islamic democracy" only democracy in Islamic society. What exists in Iran is not a democracy but theocracy. What exists in Turkey is democracy in a predominantly Muslim society. Although the ruling party has Islamist credentials or tendencies but it is a firm believer in secular politics, and exercises power within the framework of a strictly secular political constitution.

Islamist (not Islamic) political parties are not all the same. But the common thread in their ideology is that the Qur'an and Shari'a are the primary sources of authority and legislation. Secular parties by contrast believe that the people are the source of authority.

So under Islamist doctrine certain principles (and here, different interpretations come in) are considered eternal and unchangeable because they are divine instructions communicated through holy text, whilst under secular doctrine anything can be changed if that is the will of the people.

Mobilizing the Faithful

Islamist political parties have the advantage of mobilizing religion to rally the faithful to gain power. Religion is a very potent force especially in conservative societies where education is limited and people are not aware of the ramifications of supporting sectarian religious parties.

Islamic parties have not been performing according to the ideals they have set themselves to. The leaders of Islamist parties have proved to be just as prone to

dishonesty, corruption, misuse of power, negligence and incompetence, as any other political parties, if not more.

There is a correlation between Islamist political ideology and failure, I would argue because selling the slogan "Islam is the solution" might sound good when a party is in opposition but becomes empty rhetoric when it is in power. The administration of a country in this highly complex and interrelated time is not easy and requires competent skilled leaders who can use modern tools to achieve specific economic, educational and service results. That is exactly what happened in Egypt when the Muslim Brothers gained power. They had no clue what to do and how to do it and the economy (and with it, everything) nose-dived.

In Turkey by contrast an Islamist leaning party is running the country well and achieving good economic results. But that is because it is not acting as an Islamist party but rather as a secular party, within a secular political framework. In Iran, it can be argued that if it were not for the oil, they would have gone under a long time ago.

It is not so much that there is a need for Islamist parties as there is an opportunity for them to exist and thrive. What determines that is the stage of evolution of society and its awareness (or lack thereof) of the importance of separating religion from the state. I think your question itself is somewhat problematic. It presupposes that there is a practical "fix" to get democracy established. This supposition is dubious. It reminds me of the old joke: - How do you ensure you live to be a hundred? - First you get to 99, then take it very easy! Hahaha!

As I said in my first reply, democracy is an evolution. Evolutions are slow and subject to multiple complex conditions. In your own comment you point to a few: The prevailing sectarian culture, the lack of democratic traditions and institutions, and the

resistance of Islamist parties. In reality (and historically) democracy is established (very gradually - usually over many decades) by an elite, when the level of education of the general population (and therefore their awareness of their own interests, and the means to achieve them) have reached a critical minimum.

Practical Steps

I do not want to imply that there are NO practical steps that would aid and accelerate the process. Indeed there are. And they are absolutely necessary (though not sufficient in themselves). They include organizing a democratic movement (or more likely movements in the plural) and pushing forward the process of education and enlightenment and, yes, doing ideological battle with anti-democratic forces in the media, in schools and universities, NGO's, in Parliament, in homes, markets, coffee shops and circles of friends, encouraging opening to the world through travel, and exchanges (this is an effective form of education), and enlisting and leveraging the help of international organisations and interested world powers.

This is a spectrum of activity that is broad, deep and prolonged. The change would be gradual and sometimes regressive, but as time passes it develops into an irresistible force, and change happens despite all the initially overwhelming resources of the resistance to it. (Object lessons can be drawn from the civil rights movement in the United States, and universal suffrage in Europe and the US, and the anti-apartheid movement in South Africa, and the move from military dictatorships to democracy in Latin America. Practically all of these followed a set pattern of struggle, which is, though different from one to the other, are the same in essence).

There are also additional factors which will help to accelerate the process. Times are changing and things happen faster nowadays. When the Constitutional movement

burst on the scene at the twilights of the Ottoman Empire (1908), it was a very sluggish development, and it failed to establish itself or even to save the state from collapse. Even after the establishment of modern Turkey, the trajectory was long and marked by military domination which only very gradually gave way to a fully-fledged civilian led democracy (The last battles with the military were fought in the last few years - you might even say they are still being fought in the courts).

Enlightenment Comes Faster

Now it is a different era. It is the age of mass communications, mass global media, and instant information. Enlightenment comes faster in these circumstances. People now can readily compare themselves and their lives with the lives of other people in other similar states. There are global ranking systems, in transparency, human rights, economic prosperity, security and quality of life.

In addition the needs of the people are a powerful incentive. The kleptocracy we have now in Iraq has resulted in massive failure of the government to respond to people's essential needs: Security, housing, meaningful jobs, health, education and human rights. This is the most potent accelerator which has to be harnessed by democratic organizations and activists generally.

So when we add up the forces against democratizing the country we find they are formidable - at first glance almost insurmountable. In the short term, they are. But when we add up the forces and pressures to change the status quo, we find that they amount to a great deal. Indeed they will prove irresistible at the end.

Other factors will also influence the movement towards democracy, and they are difficult to predict. Regional developments: Struggles taking place in the region inside

and between neighbouring countries, will act to retard or accelerate the process. The link is not always direct but convoluted. If for instance, the Syrian situation continues to deepen sectarian conflict, it would entrench sectarian forces in Iraq, and vice versa. If the Iranian theocratic regime suffers an internal crisis and collapses, it would have an impact. If the situation in the Gulf and in particular Saudi Arabia is dramatically changes, it would have a profound influence on the whole region. Still, internal factors will be the most dominant.

Time scale? That is the difficult question. It is not going to be months. But it is not going to be centuries either. That is little consolation for you and me. But we must all do what we can to keep the pressure on. The ultimate goal, remember, is a better life for the people of Iraq.

I might call the "Ibin Khaldoon Doctrine" which I will paraphrase as follows:

"When a civilization (society) becomes affluent it becomes soft and less willing to fight and therefore becomes vulnerable to the Bedouins (the dispossessed, in our context) who have nothing to lose".

The middle and upper classes are less confrontational because they have a lot to lose. They (many of them) also have a choice. They can leave the country. A very poor family from the countryside, with no education, money or prospects are less devastated if they lose two out of eight sons to street militia violence when their eyes are on the prize of riches they never dreamed of. The Islamist parties are only a channel and a vehicle for this dynamic. Fundamentally there is a class fight and the proletariat have won not through Marxist ideology but through Islamist sectarian ideology. This will take time to play out. Yes there will be organizations as the one you describe but the wider framework is as I have outlined.

Correlations

There is a correlation between this characterization and other divisions in society, so we have (at the risk oversimplification), a rough correlation between the characteristics on the left and the right of the column of divisions below:

Poor v. Rich

Islamist v. secular

Ignorant v. Educated

Corrupt v. Clean

Incompetent and unqualified v. Competent and qualified

Violent v. Peaceful

Extreme v. Moderate

Motivated exclusively by personal gain v. Motivated primarily by public service

Fundamentally undemocratic v. broadly democratic

This is a BROAD correlation, not to be taken to be a complete one. There are plenty of rich educated Islamists who are corrupt and every possible permutation of the above will be found in reality. Yet, the correlation does exist statistically and if we have a good think tank it could be tested statistically. I arrived at it through my own experience and analysis.

 The broad correlation along the lines enumerated above puts the Sunna/Shia divide in context, and you can then explain why some Sunnis and some Shia are more prone to be on the left hand side of the above column of divisions, and some are less.

Interview 3

Mr Sami Al-Askari

'Mr Sami Al-Askari', is a leading Islamist politician, former politburo member of the Islamic Da'awa Party, former Governing Council Deputy member in 2003/2004. MP for UIA and then SoL 2005-2014, and close associate of PM Noori Al-Maliki. He is a Shia Arab Islamist. The interview was conducted via email and answers were received on 4th October 2013 in Arabic and translated by the author.

Answers

Centuries of Despotism

Iraqi democratic experiment is new and it comes after decades of dictatorship which established the culture of exclusivity and oppression and this oppression is not just restricted to the ruling the establishment but within society and family.

If we want to be frank with ourselves, we must admit that our Islamic societies, Iraq is not an exception, have not known anything but the culture of despotism through centuries. Freedom of expression was reserved for the strong only. As for other social classes, most of them lived as oppressed people and obedient followers. The reality of women is the most outstanding proof of this despotism. Men, be they fathers, brothers or husbands, decide what women should or shouldn't do

Also there is a domination of tribal values on Iraqi society and these values do not accord with the spirit of democracy and personal freedom. In addition there is the religious despotism which is the worst and most dangerous of all types of despotism that humanity has ever witnessed over all times because it dominates the brains and bodies at the same time.

It is impossible to expect democracy to prosper in such a society with the mere toppling of a despot and holding elections to choose a new leader. There is a need for freedom of expression and opinion to prevail first in a gradual manner, benefitting from different factors, while it is getting freed from tribal and clerical restraints.

Theoretically the electorate were free. The elections in the last 8 years were conducted within the democratic mechanisms that are followed elsewhere in other countries. The law gave everyone who is legally and constitutionally entitled to vote the right to stand for elections. The law also allowed all citizens to cast their votes in the way they wish and choose.

Unseen Factors

I say theoretically because practical performance is governed by seen and unseen factors that influence the awareness of the electorate and their choices. If we rule out some cases where the electorate were forced to choose candidates or political entities against their political persuasions, and this exclusion is because these cases were limited and had not greatly influenced the results of the elections. But there are factors which are more influential contributed to pushing the electorate into specific directions which were designed earlier. Some of these factors stem from the general social culture and its recent experience of democracy. Others have to do with sectarian agitation which is prevalent in Iraq since the fall of the previous regime. A

third type stems from the role the religious establishment played in the political and social life.

The religious establishment was not impartial in the political rivalry between political blocs participating in the elections. No one expected it to be impartial especially when the competition is between religious and secular parties. In fact it would be erroneous if it was impartial since it chose to get involved in political life. But the religious establishment would not have influenced electorate choices if the political and religious awareness of the majority of those electorate were not influenced by the positions and opinions of the religious establishment and the clergy.

Frankly, the choices of the electorate, in any democratic experience, would be under the influence of external factors. The media in western countries do greatly influence the making of electorates' minds and almost make their choices for them. Talking of an electorate who makes his own choices without external influences is really academic and doesn't actually correspond with the reality of electoral experiments even in the oldest of democracies. Newspapers, TV channels and other media play the biggest role in forming public opinion and the directions of the electorate.

Since the fall of the Saddam regime, the Iraqi political scene has been subjected to foreign interferences and influences. The way the regime fell, through military invasion and the fears it raised in the region, and the opportunities that were created by the collapse of the Iraqi state, all these have offered huge opportunities for regional and international parties to interfere in Iraq so as to serve their interest. They have also benefitted from the unparalleled readiness of Iraqi politicians who were ready to deal with this interference and welcome it so as to serve their interests and their aims as they compete among themselves.

US Interference

The presence of more than 100,000 US soldiers enabled the US unlimited possibilities to interfere in the ways the political process is going and shaping it within the visions and opinions of decision makers in Washington. In addition, there is the presence of Iran, which is the most visible in the Iraqi political scene among the regional powers. Iran was able to build bridges with its old allies and make new allies and this has offered it the opportunity of influence in the Iraqi scene.

Turkey, of all regional powers, has also found a distinguished place in Iraqi political scene and played the role of the defender of Iraqi Sunnis. It formed, along with Saudi Arabia, Qatar and other powers, an axis to compete with the growing Iranian role. The elections of 2010 exposed the roles which were played by the two axis, Iranian and Turkish, in shaping the rival lists.

Iran, even though it failed to compel Al-Maliki to enter into a Shia bloc that groups all Shia parties together, but it did manage to group all other Shia groups, except State of Law, in a bloc. After the results were announced, Iran was active in putting pressure on all the players to make compromises which led to the formation of the second Al-Maliki government.

Grouping the Sunnis

As for Turkey, it was able, with the mandate it got from the official Arab establishment, to group all the Sunnis in one list and install the Shia Ayad Allawi as a head of it in a bid to claw back the leadership of the government from the Islamic Shia Alliance which kept this leadership for two successive terms. This Turkish endeavour was about to succeed if it wasn't for the Federal Court with regards to the formation of parliamentary lists, and the success of Iran in bringing both Shia blocs,

State of Law and National Coalition, in a parliamentary list that was able to achieve quorum to form the government.

As for the American role in this direction, it can be said it was not on one line (incoherent). The US has secretly supported and encouraged the Iraqia Alliance to form a government, and take away the leadership of the government from State of Law, and in this pursuit, it used the UN mission (UNAMI) which certainly played a biased role and influenced the results of the elections in favour of Iraqia. This was admitted by the former US ambassador who justified it that it would upset the Sunni Arabs if the results were changed as a result of the recounting process which the State of Law list demanded. When Washington realised that Iran managed to foil the Turkish project, it changed its position and supported Al-Maliki to continue for another term. It was also active in finding solutions and suggestions to facilitate the acceptability of this position among other parties, regionally and internationally.

HIIEC Never Independent

As for the High Independent Iraqi Electoral Commission (HIIEC), it was never independent. Once it got out of the control of UNAMI and the US embassy, it entered into partisan quotas. Members of the former and current HIIEC were candidates of political blocs and they represent the interests of their blocs when taking decisions.

Iraqi society is generally governed by strict rules, some of which because of the prevalence of a tribal nature with its very extreme values or religious values which were brought about into stages. First one before the collapse of the former regime under the 'Faith Campaign' which the regime imposed on the people of Iraq during the 1990s, combined with the psychological impacts left by the regime's wars and the disasters it left behind, especially the economic embargo which Iraqis were subjected to.

The second stage was when the militias and armed groups controlled the cities and population centres prior to 2010. These Shia and Sunni militias imposed their understanding of religious and moral values and practices. They killed or cracked down on all those who didn't apply their understanding of religion and morals. This was helped by the almost complete absence of the state during that period.

All this is true, but the opportunities available to society, and especially the youth, to discover what is going on outside Iraq through the internet which spread so fast, and through satellite TV channels which run into tens and also through the opportunities of travel which have become available to many. These opportunities opened up the minds of the youth and raised within themselves the spirit of change and rejection of the backward reality.

It is true that society still imposes its domination on individuals, but it is true also that this iron fist of society is weakening and with it, the position of religious leaders in people's hearts and minds. Politicians have certainly contributed to the exploitation of religious and sectarian feelings with the aim of making political gains, but even this has begun to shrink and the response of youth to this type of religious and sectarian agitation is becoming less and less important. But the reaction of youth to this reality was probably manifested through election and political apathy, but we now witness youthful voices calling for active participation in order to effect political and social change and those voices, even though they are still low-profile, but they are promising.

Corruption, which is spreading in state institutions, certainly constitutes a hurdle to economic development, and its roots go back a long time, well before the fall of the former regime. The most dangerous feature of this corruption is the fact that the

prevailing social culture doesn't condemn it to the point that some people envy corrupt officials and wish they had the opportunity to practice financial corruption themselves and make illegal material gains.

Break of Social Structure

The years of economic embargo which caused the breaking of the social structure of Iraqi society and the three destructive wars have all founded a social environment that accepts the exploitation of public money and employing all possible tricks to squander it. After the embargo, there was the administrative, political, security and economic chaos which increased the scope of corruption and opened up new opportunities for corrupt officials to get rich at the expense of the public. All this impeded the implementation of economic and service projects in the country and it largely disrupted the process of economic development.

When Islamic parties were founded, the aim was to 'bring back the nation to Islam'. With the fall of the Ottoman Empire at the end of the First World War, the Islamic Caliphate, of which the Ottoman Empire was the most visible feature, collapsed. This vociferous fall brought about reactions in Islamic circles which was crystallised in the development of Islamic political movements at the fore of which was the Muslim Brotherhood. In Iraq there was the Islamic Da'awa Party, which is a Shia version of the Sunni brotherhood in other countries.

The aim of the Da'awa Party and other Islamic parties was to spread religious awareness which was absent as secular, Marxists and Pan-Arab ideologies were dominant in people's minds. Although most people are Muslims and proud to be so, but they do not understand the reality of Islam, nor do they practice it in their daily lives. This is how Sayyid Muhammed Baqir As-Sadr presented his understanding of

how important it was to form an Islamic movement of change with the aim of bringing back Islamic awareness to society as a way to bring back Islamic rule.

The Iraqi Islamic movement was successful in effecting a huge change in social directions and the way society deal with religion. The success was due to numerous factors among which were the triumph of the Islamic revolution in Iran led by Imam Khomeini, and the barbaric crack down on Islamic activists (by the regime of Saddam Hussein) which made millions of Iraqis sympathise with them. But that inhumane suppression has also meant the loss of most of its cadre inside Iraq and forced the rest to flee the country and live in exile in many countries. This has meant the movement lost touch with its supporters in Iraq. When the remaining leaders and cadres of the Islamic movement went back to Iraq they found themselves dealing with a new generation which was groomed in a different environment and subjected to different education in addition to the fact that they did not know a lot about the new generation (since both sides lived in different environments).

Democracy is not a Religion

Returning to Iraq was a great move for the movement but it was a return that was not well-prepared for. The Islamic movement participated in the government and got engaged in it deeply and it gave up or forgot its original aim which was the making of a new culture and creating a religious society. Da'awa became no different than any other political party in dealing with politics and the state and this calls for asking the questions you have asked. Democracy does not exclude religious parties or parties with religious leanings. Within western democracy, despite its secular nature, there are still some parties carry Christian names and probably these Christian parties are no different from current Islamic parties.

Democracy is not a religion but mechanisms and tools that enable people to manage their affairs in a way that they participate in choosing their rulers. These mechanisms and programmes cannot be separated from people's cultures and their historical heritage. That's why we see this pluralism in the forms of democratic rules in Europe and other countries.

History has left its influences on society and these are factors that cannot be ignored when formulating laws and constitutions. The restrictions that were imposed on the constitution are an embodiment of the culture of society in its current stages. On the one hand it preserves the constant features of Islamic culture, and on the other, it is committed to the criteria of the democratic system

Iraqi democracy cannot be formulated to be a copy of the Indian democracy or German democracy or French democracy. What is stated in the constitution does not talk about religious schools and their differences, but about the constant principles of Islam and these are political issues that the Muslims have agreed upon, and are not subject to the discretion of jurisprudents nor to the differences of different doctrines.

The use of religion and doctrine (sect) stems from the need of political parties and blocs to market themselves in a popular environment that sympathises with religious values. We have seen how the political parties were competing against each other to show their support for the religious establishment. This is not new in democratic life. Parties all over the world look for whatever attracts electorate approval and support even if they appear contradictory at times with their claims.

Expedience

I personally remember in Iran and during its first legislative elections, and those were the only elections after the revolution where all the parties and political and intellectual trends were participating, from the far left to the far right. In those days the idea of (*Wilayat Al-Faqeeh*) or 'the Rule of the Jurisprudent', which was introduced by Ayatulla Khumaini was widely popular. Among the parties was the Iranian Communist Party (*Tudeh*). As everyone knows, the Communist Party (anywhere in the world) has nothing to do with religion nor the Rule of the Jurisprudent concept, but the party slogans showed how far political parties can go to persuade voters to vote for them even through deception. One of the posters of the *Tudeh* Party said "(In order for the line of the Rule of the Jurisprudent to continue, vote for the candidates of the *Tudeh* Party).

Wealth and belonging to certain families does play an effective role in elections. Elections are like a staircase where some people can climb but taking the staircase is not available for everyone. The rich in western democracies are the ones who can get to decision making positions and prominent families in America inherit the presidency and seats of congress. Public opinion which influences election results is governed by the media and money, therefore, if one has more money he will have better chances than those who don't. This is one of the defects of democracy. I am talking here about the general rule not the exceptions which may happen but they do not change the general direction.

Interview 4

Dr Faleh Abdul-Jabbar

Dr Faleh Abdul-Jabbar is a prominent Sociologist, political writer, academic, publisher and author, He is the Director of the Iraq Centre for Strategic Studies (ICSS), based in Beirut, Lebanon. He edited and co-authored a book entitled 'Dilemma of the Constitution' which listed all the flaws of the Iraqi constitution. He is secular although of Sunni background. Interview was recorded on tape and conducted in his office in Beirut in the autumn of 2012.

Answers

Difficult Marriage

It is difficult to 'marry' Islam with democracy. Yes, there is a space for the religious to live within democracy. If tolerance exists, followers of all religions can cohabit even within a non-democratic state.

 If there is religious tolerance, people of all religious persuasions could live in peace, regardless of the existence of democracy.

Even under democracy, if there is no tolerance, it's difficult for different people to live together. In America, one person was teaching Darwin's theory, he was taken to court because of that. Fundamentalism started in 1916. Democracy is based on one man one vote principle, yet in America or other countries some women or blacks were not allowed to vote.

There is a difference between a creed and its interpretations. Abdurrahman Al-Kawakibi (Sunni scholar) and Hussein An-Na'eeni (Shia Scholar) interpreted creed as requiring the ruler to be constrained by a constitution.   There are large islands of liberalism within Shia Islam and small islands of liberalism within Sunni Islam.

Identity Crisis

The collapse of the idea of a national identity and its replacement by sect, class or race may represent the group fairly but it limits democracy and weakens it. For example, it was difficult to question PM Noori Al-Maliki because he was able to

persuade others within his sect that any questioning of him was a questioning of the whole sect. i.e. the whole sect was reduced to its representatives.

Secondly, secularists and liberals who stood in the elections were considered infidels and thus were forbidden from participating and holding rallies. The Islamic formula for sectarianism is to have a monopoly over the sect and prevent any diversity within the group. Monopoly and prevention. So, to Islamists, a Shia is the one who is politically Shia and this impedes democracy in a serious way.

The absence of accountability and monopoly of representation through the prevention of others (non-Islamists) from representing the sect and depriving them from benefits is destruction no less, and it's an economic war (dictatorship of needs) and this is very strong in oil-rich countries because there is no work opportunities outside the state since the state owns the economy and the citizen is forced to belong to the ruling party and obey the government of the day.

Constitution Impedes Democracy

There are many articles in the constitution which impede democracy. One of them is the article that says 'no law should be enacted if contravenes constant Islamic rulings'...The existence of this article contravenes another article which says 'no law should be enacted if it contravenes the principles of democracy. In the old Iraqi constitution there was no article that forbids the issuing of laws that contravene Islam.

There is a legal vacuum in the constitution since there are at least 60 articles that need to be regulated by law. There is no Union Council or a Constitutional Court that has jurisprudents. Independent commissions are part of the new division of authority

in modern countries, added to the classical division of authority. This is the power of independent commissions. The current Iraqi Federal Court plays a disabling role to democracy. It has (in reality) abolished the independent commissions. It has stopped the questioning of the minister for High Education. This is crippling the constitution (and impeding democracy).

Democracy & Freedom

Democracy is based on the free choice of the individual and whatever impedes this freedom impedes democracy. The government controls the Media Commission which should represent all points of views. In the UK, the BBC is financed by the state, but, it operates independently.

It is fair to bar Ba'athists in Iraq from standing for elections because they had deprived people from their rights. They bear moral responsibility, even those who were not in positions of responsibility.

Sectarianism impedes democracy in a serious way;

1- It negates accountability,

2- It limits representation since this becomes the right of the sectarian politicians,

3- It deprives those who disagree with those in power from benefits; using economic tools to force citizens to comply with the dictates of the rulers (the dictatorship of needs).

The constitution went wrong in many instances, here are a few:

a- No law shall be enacted if it contravenes the fixed principles or pillars of Islam

b- There are 58 articles that need to be regulated by law

c--Federal Council is not there

d- Federal Court: what are the remits of this court? Now it's impeding the constitution. It is breaking the constitution, not interpreting it. It has even made questioning of ministers illegal! Questioning PM and ministers must be done regularly. It has also made a mess of who should form the government.

The independent institutions are now undermined. They have put with them executive institutions such as the Sunni and Shia endowments which manage mosques. The two (types of institutions) must be separated. There is ambiguity regarding them, and now the council of ministers wants to take charge of them. These must be independent of the executive authority and it is supervised by parliament, not the government.

Oil money Impedes Democracy

There is immunity for officials who take wrong decisions, but no immunity for criminal actions such as stealing. There is no such immunity. There are practical problems that only legal experts can see,

Democracy is the freedom of individuals in their choices, information, activity, belief, expression choice, thinking and all other civil freedoms. Whatever impedes the freedom of individual impedes democracy…

Oil money becomes an impediment to democracy because it is used by the incumbent to try and bribe others and derail the democratic process.

Allocating posts is also allocating benefits and this, if not done according to agreed rules, could be used to derail democracy.

The religious establishment has actually made the constitution less extreme (in religious terms) than would have been had it been left to political Islam.

Sectarian distribution of seats or positions does impede democracy…

Restrictions on freedom introduced by Islamists depend on the acceptance of society of these restrictions, if society doesn't accept them, they will be inapplicable.

No fear of a coup d'état in the Iraq. Even the Prime Minister cannot lead a coup because he will face resistance from all population centres in the country. Kurdistan won't deal with him, nor would Kirkuk, Musil, Basra and Anbar.

A military violent action can be done, but no coup is acceptable anymore.

The use of *taqiyya* [dissimulation] by the clergy will restrict the freedom of choice if they interfere in politics. But if they do not interfere in politics, they won't affect democracy…Ayatulla Sistani restricted people's freedom in 2005 only. But in 2010, he told people to vote for whoever they wanted.

Interview 5

Dr Ayad Allawi

Dr Ayad Allawi' is a former president of the Governing Council, Prime Minister, 2003-4-5, Vice President 2014-present, and leader of the Wifaq (Accord) Movement (now party) and the Iraqia Patriotic List. Allawi is Pan-Arab nationalist and of Shia background. He is a medical doctor by profession. The interview was done via email and answers were received in English on 17th December 2013 via Dr Allawi's secretary, Muna Alwash.

Answers

The democratic process has failed in Iraq because the political process itself has failed. What we see after 11 years is a stagnant economy, breakdown of law and order, lack of services, violations to human rights and the constitution.

The inability of the legislative and the executive to produce laws as the constitution calls for. The constitution itself was written in 2-3 months and an authoritarian regime is developing out of the so called democracy.

The reasons for the failure of democracy in Iraq are sectarianism, foreign interference especially from Iran, failed political process, disenfranchising millions of Iraqis, absence of law and order, lack of institution, failure of the judiciary and its control by the executive, the occupation, and the dismantling of the state, politicizing Deba'athification and religion and finally political money corruption, intimidation and violence.

If things remain as they are then the outcome will be catastrophic.

Where and in which Islamic country there is democracy similar or near to what we see in democratic countries? So, there is a problem with the understanding of religion in Muslim countries which prevent the nurturing of democracy.

The evaluation of democracy has been severely impaired in Islamic countries for domestic reasons as well as influences from outside; colonialism, occupation lack of self-determination …. Etc.

Democracy must take local values into account, it should not be a photocopy of what we see in the UK or USA or France … etc. elections are the tip of the iceberg of democracy.

The starting point for democratic process is the presence of the rule of law, basic rights of citizens and citizenship, and the presence of institutions that can defend democracy. Most importantly is the availability of a civil state and civil institution, and the core is the presence of real democrats, who believe in democracy.

One (Islamic party) is sectarian, several (parties) are not. Islamic parties started as reactions for foreign involvement, degradation and insults that came with it but soon they (Islamic Parties) became too sectarian, violent and authoritarian as we see in Egypt, Iraq, Tunisia … etc.

Moreover, Islamic parties are political entities not sacred religious (beings) and they have no right in posing as the only ones who know Islam and can explain it and use it politically.

The secular parties in Iraq by and large have failed. National and socialist parties have failed now, but they failed after decades of being in power (while) Islamic parties have failed in a much shorter time.

The failures of Islamic parties is mainly intrinsic while the failures of the old secular parties are external largely (e.g. Cold war) as well as intrinsic.

Interview 6

Dr Waleed Al-Hilli

Dr Waleed Al-Hilli is a member of the politburo of the Islamic Da'awa Party and the party's director of public relations. He is an academic and author. He worked as advisor to the president of the Republic of Iraq between 2006-2010, then he was elected as MP for Babylon in 2010-2014. Currently, he is Advisor to the Prime Minister (since 2014). He is of a Shia Arab Background. The interview was done via email and answers were received on 29th September 2013 in Arabic and translated by the author.

Answers

Digesting Mechanisms

Iraqi democratic experiment after the 9th of April 2003 witnessed a clear development but it is still in the transitional stage. A number of political entities and some active politicians have not actually digested democratic mechanisms because they didn't get the opportunity to practice them in a proper democratic atmosphere, or they have not actually practiced them in their jobs due to the suppression of political freedoms in Iraq by the former Ba'athist regime.

There are other numerous reasons (for the difficulties it is facing) the most important of which is the sectarian or racist feelings of some people and this has coloured the conduct of those people with bias towards their sect or race.

Most important impediments to democracy are education and culture by which the participants were brought up, and also the absence of desire to understand the

requirements for democratic mechanisms. Instead they started singing democracy's praise as they wish and desire and not as it should be.

Democracy in Iraq will develop a lot in the future, but this development depends on several factors the most important of which is the distancing of the Iraqi situation from foreign interventions.

The practice of Shura in Islam preceded the introduction of democratic mechanisms in the west by hundreds of years. The two expressions refer to the necessity of taking the opinion of the nation (*umma*) and consulting it. History reports a number of events in which the Prophet Muhammed (*PBUH*) consulted with his companions and he took their advice even though his opinion was different to theirs.

An example of this is when the infidels came with a large army to Medina at the battle of *Uhud* in the year 3 of the *Hijra* calendar (migration of the Prophet from Makkah to Madeenah), the Messenger (PBUH) met with his companions and consulted with them at the Holy Grand Mosque and asked them their opinions of how to defend Medeena. Some companions said the best way was to leave Medina and defend it from the area of Mount *Uhud* which is situated 3 km from the city centre.

Democracy at Mount *Uhud*

The Messenger's opinion was to stay in Medina and build defences there to face the enemy from within the city, instead of leaving it for Mount *Uhud*. When the opinion of the majority (of his companions) was to leave for Mount *Uhud*, the Prophet decided to go to *Uhud* and this was the reason why the Muslim's army was defeated in the second stage of the battle. This caused the martyrdom and injury of tens of Muslim fighters. The Qura'an also mentioned the story of the Queen of Sheba when she

consulted with her people on their opinion of how to respond to the letter of the Prophet of God, Solomon.

Islam encourages consulting people and it gives incentives for that which is the great reward in heaven, and this leaves a kind of commitment on people, while western democracy has no incentives and abiding by it depends on a number of factors.

Shura in Islam is subject to principles and moral values which direct all Muslims towards the aims which satisfy God, while democracies differ from Russia's to America's and European countries', each understand it differently.

Shura in Islam is a position which attracts punishment and reward in the day-after when there is cheating and conspiracy. Western democracy is subject to conspiracies of this state or that to topple the regimes which oppose them. For example, the US and Europe all know that democracy is non-existent in Saudi Arabia, yet they deal with it as a first class ally because they need its oil. Therefore, human rights are forgotten when they collide with their interests.

Any party is defined as an organisation and ideology. The organization is common to all parties where they follow the known organizational approaches. But the ideology differs. One ideology believes in God, His Prophets, Books and Angels as well as the Day-after. It believes in accountability in the Day-after and heaven and hell. The ideologies of other parties are different in the principles they believe in, whether communist, socialist, liberal or free.. etc..

Islamic parties are different in the principles they believe in and their (political) directions. Most of their problems are in the political classification of events and in the understanding of Islamic creed in its correct form. Some parties call themselves

Islamic, but they are actually nationalist, sectarian or liberal, but they use Islam to deceive people.

Shura & Democracy

There are numerous mistakes that some Islamic parties make, some of these mistakes are big ones, and this happens due to their lack of experience and openness on Islam with its wide concepts. The main reason for their failure is extremism and ex-communication of others (*takfeer*) as well as their narrow horizon and failed political programme.

 The need for Islamic parties is required as there is a need for other parties. Shura and democracy and the diversification of views all help to diversify parties in performing their roles. We do not fear the multiplicity of Islamic or secular parties and their different programmes, but we do fear the infiltration of these parties by intelligence agencies of this country or that making the party a platform for this country or that country or its intelligence agency.

Parties which believe in the process of political development on correct basis and the principles and values of human rights can find their way to success provided the nation has sufficient awareness of the importance of these parties and their competing freely according to democratic mechanisms, away from the role of (foreign) intelligence agencies and the intervention of others. The political process must be clear and conducted in a proper security environment with the existence of free competition and equal opportunities for all, away from unrealistic rhetoric with commitment to and scientific and practical aspects of the programmes.

Interview 7

Dr Kadom Jawad Shubber

Dr Kadom Jawad Shubber is a retired University professor in Economics, he was lecturer at the University of Westminster in London until his retirement 2 years ago. He is a London-based writer and business consultant and Founder and ex-Editor-in-Chief of the International Journal of Islamic and Middle Eastern Finance & Management. He is a self-styled Islamic Liberal. He is Shia and his father was senior cleric who was executed by the regime of Saddam Hussein in 1980s. The interview was done via email and his reply was received in English on 26th of September 2013.

Answers

The earliest known and recorded form of democratic system is that of Athens in ancient Greece, well before the advent of Judaism, Christianity and Islam.

It is noteworthy that not all adults in that ancient city state had the right to vote, while critical decisions were taken by the whole body of voters assembled at communal meetings. A criterion was set for those adults who could vote, chiefly in relation to the ability to carry arms.

It is also to be noted that universal suffrage only became widespread in the industrialised West during the past 100 years, and was only accomplished gradually and under persistent pressures from the less privileged sections of society, who fought tooth and nail to acquire ordinary civil rights that are nowadays taken as

given. The struggles and sacrifices of the African-Americans are still fresh in our minds, while it should be recalled that British women only acquired the right to vote in the 1920's, while their sisters in Switzerland gained the privilege in 1970's.

These historical backdrops help to show that civil rights are normally acquired as a consequence of hard-fought struggles by those who demand them, rather than given to them on a silver (or golden) plate! History also informs us that it is normal for the process to be piecemeal rather holistic and sudden.

This is not to say – of course – that Iraqis did not endeavour to acquire the basic civil rights that they truly deserve. Moreover, a semblance of a democratic system with other prime liberties had existed over 30 years, from the setting up of the modern Iraqi state in the aftermath of the First World War until 1958 when the Iraqi army ended the Hashemite monarchy.

What history does tell us, however, is that there are certain requirements for the success of a democratically-based political system in any nation. It is difficult to envisage the existence or birth of these requirements overnight or in an abrupt fashion, rather they should evolve gradually and enmeshed in the country's culture and fundamental values.

Three requirements

Three main requirements can be put forward, in this connection.

First, there has to be a reasonable level of understanding-cum-acceptance of the system. People need to recognise that the system is both necessary and fair, in order for them to be motivated to utilize it and respect its outcomes.

Second, prime leaders must show flexibility and mutual respect for one another. Religious, political, social, military, and business figures have to propagate the system and recommend it to ordinary citizens, so that harmony and smooth running can be secured. There can be no political system that is foul-proof, and loopholes might spring up at any time. The onus is on societal leaders to find speedy remedies that are effective and generally viewed as reasonable and practical.

Third, the system must have proper and adequate safeguards. These involve legal and security elements designed to ensure smooth functioning, as well as adjudicate when disputes arise.

It is hard to see how the above conditions can be claimed to exist in Iraq. To start with, this is a nation that had been ruled ruthlessly by a brutal dictatorship for over 30 years prior to the Anglo-American campaign of 2003. While the period 1958 to 1968 was probably not as harsh (excepting the aftermath of the bloody coup in 1963), there were no parliamentary elections over those years; nor indeed local or municipal voting. As a consequence, by the time Saddam was toppled in 2003, Iraqis had been accustomed to an antiquated bureaucracy, without any internationally acceptable legal system or transparent or just enforcement framework. The State apparatuses became by far the most violent, savage and erratic part of Iraqi society, thereby convincing ordinary people that the only effective deterrent to malpractice, crime, corruption and other wrong-doing was harsh punishment or the prospect of it.

Ill-prepared

It is probably fair to maintain that most Iraqis were ill-prepared for the positive changes in their political system post 2003. Perhaps more seriously, the changes that came about became the target of some criticism from most ordinary people.

Some of the changes (e.g. new electoral system, the constitution) gave the impression of being half-baked and primarily benefiting those already clinging to political and financial power. Both administrative and financial corruption came to be viewed as rife and disadvantageous to large sections of Iraqi society.

In a country where tribalism is deep-rooted, while religious authority is revered, elections have typically resulted in a poor expression of the true popular will. The plain fact is that we have a rather backward electorate with little sense of the major factors that need to be considered, such as economic variables, international relations, public services, education, and the security problem, leading thereby to voting practices being influenced by the "big boys" whether these were party bosses, religious scholars or tribal chiefs.

It is now appropriate to address directly the main questions posed in this research.

In politics, "realism" is the first requirement. Thus, Iraqi society has to be recognised as it is, taking the fractious and mosaic features as given. Solid progress will necessarily have to follow an arduous and lengthy path.

We cannot instruct Muslim scholars not to expound the tenets of Islam, or to refrain from commenting on poor public services or evidence of corruption. Nor can we issue a law (or a decree) that makes tribal networks null and void.

Civilised Dialogue

What we can do, however, is to have a civilised dialogue with leaders from all walks of life, in order to instil the ingredients of a healthy and functioning democracy. In essence, all must accept the outcome of the ballot box. If people's representatives do not outlaw gambling or liquor, religious leaders should not become disgruntled -

they simply must improve their argument and keep trying. If the House of Representatives renders illegal all payments smacking of "tribalistic" ransom, tribal lords must accept that as an expression of the people's will

Appointments to all positions within the civil service must be based on merit, and in accordance with pre-set criteria, while selection must be done objectively and fairly. Leaders must exhibit fairness and objectivity, while speaking their minds and recognising that building modern institutions and applying the latest principles of good management will bring benefits to all.

It is wrong to say that this is impossible within the Iraqi context. Yes, the current state of affairs is quite distant from the ideals we are seeking. Yet, Iraqis have it deep inside them that they respect fairness, goodness and professionalism. We need to nurture these values and bring them back to life, expelling expediency, and nepotism, attitudes such as "scratch my back and I scratch yours".

In a nutshell, therefore, we cannot prevent people from wearing religious dress, or indeed any type of costume: basic liberties are an essential element of a healthy democracy. Again, we have no right to demand that anyone give up their tribal, ethnic, regional or faith-related affiliations.

We have every right, however, to ask all - particularly those with vocal voices that can be heard by many - to be objective, fair, honest and knowledgeable. It is hard to legislate for this: a culture that promotes a healthy democracy, fair society and modern successful institutions has to be built stone by stone by those who know and care. In the process, huge sacrifices will have to be made, but the final objective is sacrosanct and worth all the costs!

It is well-established and widely accepted that the design of any political system is influenced by a variety of social, economic, cultural, and historical considerations. This fact is firmly-documented in the theories postulated by political thinkers over many centuries - in the case of one political writer (the British Thomas Hobbs), the weather was viewed as the most significant factor in framing up the political system.

Dependence on Oil

Another major point in this regard is the dynamic nature of the political system. In other words, political forces and institutions must be sufficiently flexible, in order to respond positively and effectively to hard realities which keep changing and spring surprises from time to time.

There is absolutely no doubt that it is unhealthy for any nation to rely unduly on just one economic sector, be it agriculture, or tourism or oil - or indeed any other single field of activity. Too much dependence on one sector can be very risky, even disastrous. As we have seen all too clearly over the years, oil prices may fluctuate sharply, while political disputes with neighbours (or even within a given country) can disrupt the pumping of "black gold", while ultimately the size of crude reserves is subject to depletion at some point in the future.

Clearly, therefore, economic diversification should be part of any sound economic strategy of every nation. In the case of Iraq, this simple fact had been well-known to economists, politicians and other professionals for a long time, particularly since the early 1950's when the Reconstruction Council (& Reconstruction Ministry) was set-up. Unfortunately, very little has been achieved by way of concrete results, despite the fact that the country is endowed with vast areas of fertile land, golden opportunities for tourism (leisure, cultural, religious), natural gas, non-oil minerals and other valuable possibilities.

Plainly, a well-balanced economy assists in building a mature and healthy democratic system. By its nature, a democratic set-up requires people to be able to think freely, independently, and confidently. When individuals view their livelihood to be dependent on a linkage with a political party or an organ of the State, their judgement can be impaired, even paralysed, and hence might follow dictates handed down to them.

That is why "totalitarianism" is the anti-thesis of true democracy. Even a so- called "socialist" system can be anti-democratic, because most working people will be employed by the State and be strongly impacted by the political party that happens to be in power.

It is therefore arguable that Iraq had a better-functioning democracy in the 1920's, 30's and 40's than in subsequent decades when substantial increases in oil revenues were forthcoming. During the first three decades of national rule, public revenues in Iraq were generated from various forms of taxation, direct and indirect. As oil income began to flow in increasing amounts, other economic sectors were neglected, while the ruling class saw no pressing need to take heed of people's views or to subject themselves to national scrutiny, because rulers regarded themselves as givers to the masses and therefore as their masters!

For democracy to function effectively, those in power must regard themselves essentially as takers from the voters who put them in their positions. This way, the adult population will be on sure grounds when they question, criticise and appraise their rulers. Furthermore, the economy must be in a healthy state, whereby people are not beggars from the State, and can move easily among sectors or set up their own businesses. This way, working people will be able to finance the various activities of the State in a confident fashion, based on a solid social contract between those who are governed and those who govern.

After further questions, Dr Shubber moved on some issues, especially wearing religious cloths and he agreed that politicians should not wear religious cloths.

He gave the following answers on 3rd October 2013:

Patronising Attitudes

I would argue that tribal and religious leaders should learn to respect the views of people and allow them to decide for themselves. Leaders who care about the national interests and respect the ballot box should not adopt patronising attitudes. They should respect the motto of 'one man one vote' and allow the man and woman in the street a free vote to express their own will. In my view, part of the declaration id honour or 'social chapter' ought to be declaration by tribal and religious leaders not to meddle in politics unfairly. Ultimately, each nation must develop its own political culture so as to smooth the running of the prime institutions and cover loopholes in the legal system. This culture is still developing in Iraq.

I might agree here that those seeking to be elected or putting themselves forward as politicians should give up religious dress in order to avoid giving the impression of having religious authority.

Interview 8

Dr Kanan Makiya

Dr Kanan Makiya, is a prominent thinker, academic and Author of the "Republic of Fear" and "Cruelty and Silence" among other important books. He was received by President Bush a few times to consult him about Iraq before the invasion. He authored Charter 91 and is the co-author of the Transition to Democracy in Iraq Report. He is of Shia background and secular. The interview was conducted in London face to face in mid 2012 and notes were taken.

Answers

Dr Makiya says he is not interested in politics and he came into it as a matter of conscience after the heinous crimes that Saddam Hussein committed against the Iraqi people with complete impunity. He even fell out with his own father, the architect, Professor Muhammed Makiya, when he decided to go back to Iraq in the eighties to work in specific architectural projects there. He thought that was a betrayal of the cause of fighting Saddam Hussein.

He wrote his famous book "The Republic of Fear' in the eighties exposing the repressive practices of the regime of Saddam Hussein. In the nineties, he wrote another book; 'Cruelty and Silence", detailing the crimes that Saddam Hussein and his Ba'ath Party committed in the intifada of March 1991. He blamed the West and the US in particular, for their failure to support the Iraqi people who rose against the regime after they were encouraged by President George Bush to do so.

Anyone is Better

He opposed Saddam Hussein and thought that 'anyone would be better than him' in the leadership of Iraq as he told me. He calls the religious parties a 'thieving mafia'

and says they 'distribute state posts on the basis of stealing the state. They are there to benefit personally'.

He believes that Islam can change as happened in Judaism and Christianity. 'Catholics jettisoned a lot of their religious practices in order to accord with modernity'.

Dr Makiya believes that there are signs for rationalism in Islamic thinking especially among the young generation. He sees a crisis within Islam and the 'new Islamists' will be able to change that. He believes there is a sector of society that is determined to 'rethink' everything.

Within the Shia, he says is possible that there is a room for flexibility. He referred to Ali Allawi's book 'The Crisis of Civilization' which dealt with the issue of isolationism and he says this trend which dominated the language of the opposition, has long gone. He also believes there is a need for a fatwa against 'sectarianism'. He maintains that Iraq is not an isolated case. 'Change is possible. Islamic tolerance is possible'. He quotes John Stewart Mill that 'Third Worldism will come'.

When I asked him if secularism was the answer for Iraq's problems he disagrees. 'Tolerance is easier than secularism'. At the same time he maintains that 'separation of state and religion is a 'necessity for religion'. Still, Dr Makiya believes there is no guarantee for anything. 'We are talking of natural developments that will happen eventually, not necessarily now.

Dr Makiya maintains that Iran is responsible for whatever is happening to Iraq. 'It's Iran who supported the religious parties. Without Iran they would have had no

influence'. As for the diminishing role of the US in Iraq he explains: 'The US departed because the Iraqi political parties and the political class turned their back to it. The US could have contributed to the development of Iraq economically, culturally and scientifically' but it had to leave because most politicians were reluctant to support its presence in Iraq'.

Interview 9

Dr Hussain Al-Hindawi

Dr Hussain Al-Hindawi is a journalist, writer & poet. He is the former President of the first post-Saddam Iraqi Independent High Electoral Commission-IHEC (2004-2008). He holds a PhD in Philosophy from a French university. Prior to going back to Iraq, he was the director of the United Press International News Agency-Arabic Section, London. He is secular and of Shia background. The Interview was conducted face to face in London in mid 2012 and recorded on a tape.

Answers

40 years of retarded totalitarian regime left its mark on Iraq. Not all totalitarian regimes are bad in every aspect. Franco[1216] in Spain for example was anti-communism and that's it. Franco called upon the heir to the former Spanish royal house, Prince Juan Carlos, and handed back power to them but under certain stipulation which is to establish a real democratic system in Spain. He saved Spain and was a true believer in democracy[1217] but he thought the time wasn't right for it when he was a ruler. The Iraqi situation is different.

The destruction of the middle class

[1216] Dr Hindawi is mixing here between totalitarian and authoritarian regimes. Franco's regime was not totalitarian, but authoritarian.

[1217] It's obvious that Dr Hindawi is no expert on Spanish affairs, although he is very well-versed on Iraqi affairs. Franco was a dictator and could not have been a true believer in democracy. This aside, Hindawi is one of the achievers in Iraq. He holds PhD in philosophy from France and is a widely-read author on philosophy, history, politics and literature as well as being a modern poet. He also became the president of the first Iraq electoral commission. He later worked for the United Nations mission in Iraq as adviser. In 2104 he was appointed as adviser to the President of the Republic of Iraq.

The middle class is coward because they look for their interest. The bourgeoisie class was destroyed before that. The previous state was sectarian. The current situation is a continuation of the last. There is no basis for democracy in Iraqi society. The last elections in Iraq were held in 1954 and they were rigged, although there were some leftists opposition figures, such as Rafael Batti, won seats in parliament but they were a few.

PM Fadhil Al-Jamali created the Reconstruction Council (RC). All the current major projects in Iraq were achievements of the RC's. Leftists do not have an understanding of Western democracy; in fact they had their own version of democracy whatever they call it (true democracy, or good democracy).

American call for democracy in 2003 was false. There was no truth in their call for democracy. Building democracy doesn't depend on Ahmed Al-Chalabi, for example. The Kurdish parties do not differ much from the Arab parties in the sense that they are dominated by families. The middle class always looks for peaceful transition of government and believes in market competition and because there is no middle class, democracy failed in Iraq.

In my experience as President of the Electoral Commission, I found that there is no democratic upbringing (culture) in Iraq which ensures the peaceful transfers of power in accordance with people's wishes expressed in the ballot box. There is no understanding of democracy. The electorate doesn't know his rights, and he keeps changing his views every 5 minutes.

There was an absence of democratic legacy (culture) which could have helped people understand democracy. A blanket for example given to an electorate by a candidate persuades the electorate to vote for that candidate, not another. The

electorate has no respect for his opinion. He was under the influence of the tide of sectarian media. The vote has no value (in the eyes of the electorate). The political class doesn't respect democracy. There is no single person who has any respect for the concept of democracy. Perhaps Ahmed Al-chalabi has more understanding of democracy than others because he lived abroad. None of the elite that lived abroad is democratic, on the contrary they think that democracy is a (deceit).

During the opposition, those who believed in democracy, they did that because they were weak. The Western liberal understanding of democracy is weak in Iraq despite the fact that even during the Babylonian era, there were councils that limited the authority of the king when declaring war or making peace. Most of the Iraqi Diaspora which is estimated to number between 2-4 millions, lived in democratic countries, but most of those who went back to Iraq after the fall of the regime were the ones who lived in non-democratic countries such as Syria and Iran. As for those who lived in Europe, they have actually lived in their own narrow societies and hence didn't understand the European experience.

The Americans were listening to what Najaf was saying when writing the Iraq interim constitution (Transitional Administrative Law-TAL). The group that the Americans have handed power to, or those they dealt with, were totally ignorant in law, even in Islamic law (Sharia). None of them was like (Ayatullah) Hussein An-Na'eeni who proposed a constitution to limit the authority of the ruler.

Even the critics are not objective when criticising the government or political parties for example. Fakhri Kareem, the media baron and publisher of Al-Mada Newspaper, criticised PM Al-Maliki alone and remained silent when it comes to the Kurdish parties or leaders for some reason.

The role of religion

Religion played certain roles against democracy, even in Europe. But religion can play a role in favour of democracy. Religious leaders can present Islamic ideas to serve democracy and at the same time do not contravene Islamic principles. Islam favours a just rule and democratic rule is just because it respects the poor and it's fair with all people.

We must distinguish between different religious scholars as their positions are different. Ayatullah Ha'eri for example is against secularism. Others do not have a problem with it but they believe in justice- but justice is relative and it could mean different things to different people. Religious parties played on this role and exploited religious scholars who have no political project.

The Shia in general neglected politics and government and left it for the Sunnis In the past). In fact some Shia religious leaders have even forbidden people form participation even in studying at state schools.

The project now is returning the rule to the majority and this was what happened during the first elections as all admit. They should have stopped at that. The Shia should have built a modern state based on democracy. Some clerics have no problem with building a modern state.

The religious authority can take a corrective position. Imam Khoei for example believed in the separation of religion and politics. There is no hostile position towards democracy among Shia religious scholars. I believe that with times and the development, of the experiment, things will be corrected and go back to the right way

because the interest of the Shia and the Muslims is in building a just state. Past and present religious leaders were not against democracy, but religious parties are.

Religious scholars should explain their positions. They should say whether those parties do represent them or not. They should forbid them from using their names. Religious parties are not democratic and they have no democracy within their constitutions. They have not changed during the last period and they have become more professional in using democratic language and democratic game for their interests.

They have controlled the election commission and this distances the democratic process from propriety and integrity. Religious parties were all one group and they are one and the same thing and do not represent different trends in society but they were divided into many factions for personal reasons or under the influence of regional powers. Again, there is no difference between Islamic parties.

Interview 10

Mr Dia Ash-Shakarchi

Mr Dia Ash-Shakarchi is a political writer, author and former Shia cleric. He was a member of the National Assembly in 2005/2006 and was a member of the Constitution Drafting Committee. He was a senior member of the Islamic Da'awa Party until 2006 when he resigned from the party and renounced political Islam. He is now a staunch advocate of secularism and democracy. He abandoned political Islam as a matter of conscience when it was at its highest strength. This interview was conducted via email and answers were received on 16th July 2014 in Arabic and were translated by the author.

Answers

Distorted Secularism

I can summarise impediments as follow:

A- The absence, or the low level of, the necessary democratic culture and all its necessities and trappings such as the culture of citizenship, freedoms, equality and the acceptance of the other opinion.

B- The prevalence of strict and closed-minded religiosity and the weakness of the culture of religious tolerance especially among the religious or among those who possess an emotional loyalty to the sect.

C- Putting the sentiment of belonging to sub-national identities, especially sectarian affiliation, ahead of belonging to the motherland. This is the biggest impediment to the process of democratic transition followed by belonging to religion, ethnicity, tribe and region.

D- The prevalence of a wrong, distorted and warped conception of secularism

 E- Associated with this is the culture of focusing on the role of the individual and the failure of the culture of institutional action to take root.

 F- The failure of the culture of transfer of power, and the absence of the tradition of transfer of power even among democratic secular parties.

G- The phenomenon of double standards and its negative impact when the political elite is infected with it.

I believe that any kind of foisting religion into politics, or even into public affairs, and to any degree represents an impediment to the process of democratic transition, especially in a society, where religion plays an influential role and has not gone through a democratic experiment before. There is an additional factor, and that is the lack of education. Therefore, in order to pave the way for the process of democratic transition and remove all hurdles from its path, the issuance of religious fatwa in political affairs must become a taboo, even though enacting a law of this kind will clash with the reality of emotional religious zeal and this will require establishing the cultural grounds for this type of legislation first. Even a political fatwa which has a positive impact on the democratic process will have a negative effect when it becomes an absolute criterion that is not subject to discussion, criticism, refutation and disagreement as these are among the fundamental democratic awareness in society.

Sub-identities

Tribal, regional and sectarian loyalties do impede democracy, certainly. Any kind of loyalty to sub-national identities, such as religion, sect, ethnicity, tribal affiliation, the family, and region, if it becomes ahead of the sentiment of citizenship, that is belonging to the motherland or the nation, that is to the human being who lives on the territory of that motherland, and I mean the loyalty that affects the political choices of the citizen, in terms of his support or opposition on the political level, and

in terms of his electoral choice, will amount to wasting the right criteria of choice, which must be based in the arena of politics on merit and integrity.

If these loyalties take their right place, which should be after the loyalty to the motherland, they will be acceptable.

A secular party is certainly fairer and more democratic than a religious one and I mean the secular and democratic party. The reason is that there is a specious argument that all dictatorships in the region have mostly been secular. But when we secularists talk about secularism, the secularism that we call for can only be realized when it is associated with democracy. As for the dictatorships that were classified as secular, they are actually dictatorships with non-religious intellectual tendencies, and may have been hostile to religion or even trading with religion at some other stage, as establishing their authority required them to do. We must distinguish between what is non-religious and what is secular. Dictatorships suppress all those opposing them, be they Islamist or secular.

Only a secular democratic party that is committed to the principles of human rights, and engages in defending them, and that believes in equality based on citizenship and humanity, can lead the country. The existence of pluralism, i.e. the existence of a number of secular democratic parties, in all its diversified spinoff tendencies, whether liberal, leftist, social, conservative, and centrist, will be an enriching factor for the political scene and a factor for competition among political programmes. This is more beneficial to the country than competition over power and its privileges, as is the frequently the case with newly democratised societies and this is what happened in Iraq after 9th of April 2003.

It should be noted that there are religious people among the secularists but their understanding of religion and religiosity makes them favour the separation of religion and politics. So religion becomes a personal matter, where a secular person would defend the freedom to practice it as much as he defends the freedom of those who want to be free from religious commitments. The secular will protect the non-religious from being subject to the repression of his freedoms by radical Islamists, or the strictly religious. That is especially the case since interfering in personal affairs and attempting to restrict the freedom of individuals and groups has religious legal grounds through what is termed as 'commanding virtue and forbidding vice' or 'calling for religion' (the Islamic call).

Antithesis of Citizenship

What I hope for the future, and maybe not in the foreseeable future because of my diagnosis of the difficulty of realizing amid the present conditions, is a political system where only secular parties are allowed to operate. Otherwise, I personally called at an early stage for us to have a political party law which bans the formation of parties on religious or sectarian bases, or even on ethnic basis. The parties of religions, sects, and ethnicities are the antithesis of the principle of citizenship which is regarded as a basic pillar for the democratic system since it embodies the principle of equality among citizens. In Iraq, we have two problems. Firstly, political Islam, which is represented by Islamist parties originally established for the purposes of its religious project which they called the 'Islamasization of society', as they regard society as Muslim but not Islamic. Therefore, they sought to change Muslim societies into Islamic societies. The second problem is political sectarianism, i.e. political Shiaism and political Sunnism.

These trends are represented by parties that are exclusively for the Shia on the one hand, and parties that are exclusively for the Sunnis on the other. Sometimes we find the concurrence of the above mentioned factors in one party, or a political

personality, or a political thought, so that it is Islamic, on the one hand, and Shia or Sunni, on the other. And sometimes we find a sectarian party that is not necessarily Islamic but, for it, the sect becomes more like a tribe or ethnicity. As for Islamist parties, the fact of the matter, and we are not talking about abstract theory here, they are all sectarian. The Islamist party must be either Sunni Islamic or Shia Islamic and there is no example of a trans-sectarian Islamic party, neither in Iraq nor anywhere else, as far as I know.

Personally, I believe that the application of secular democracy, which means complete separation between religious and political affairs, must mean the non-interference of clerics in their capacities as clerics in politics. However, as a citizen, a cleric should be like any other citizen who has the right to engage in political, partisan and other activity and take up political position in the legislative or the executive branches. But I believe we should have a law in the future that bans politicians from discharging the tasks of a clergyman.

If clerics want to work in politics, they should drop the religious clothing and must not practice any activity that is usually practised by clerics such as leading people in prayers, especially Friday prayers, preaching in sermons, issuing fatwas, performing marriages, or the like. If a politician wants to be a cleric, then he should quit politics. If a cleric wants to be a politician, then he should abandon his personality as a cleric, primarily by taking off his religious clothing and wearing civil ones. In societies where religion is still influential in public life, and where religion is still imbued with an emotional power, there is no doubt that religious clothing will have an impact on simple religious individuals, especially in a society where illiterates and the half-educated still constitute the a big section. I say this although the clerics are not viewed now as holy as they were eleven years ago [in 2003], but there is still some influence for the clerics on the simple religious lay people, and even on others.

Religious Rhetoric

During last ten years of Iraq's experience, and despite the influence of religion on the general scene, I found a development in the opposite direction. The Islamist and the religious among the politicians, including the religious establishment, and even the religious authority, all have watered down their religious rhetoric and have turned to imbuing their rhetoric with a civic touch. They have reduced their use of religious literature and terminology.

Regrettably, the secularists in Iraq, as is the case in all countries with a Muslim majority around the world, are always in fear of being stamped with the charge of 'infidelity' or deviation from religion, or not respecting religious sanctities, so they have taken to going beyond the bounds of courtesy or consideration into hypocrisy. Some of them have taken to begin their speeches with the formula "In the Name of God, the Beneficent, the Merciful, for example, and those who have been the least drawn into the use of religious rhetoric, or let's say watering down the secular discourse, are those who until today fear using the term 'secularism' so they replace it with 'civic' or with 'liberalism' in some countries, whereas liberalism represents one of the secular democratic trends.

In my opinion, this exaggeratedly fearful conduct has represented a grave mistake since secular political trends, no matter how much they distance themselves from the use of this term, are judged as being 'secular'. Therefore, it is more appropriate for them to declare their secularism, and then work to correct the misunderstanding surrounding it, as being synonymous with infidelity or atheism.

We should have educated the people in this direction and this is what I have done personally within my modest means, and with efforts that are almost singlehanded, that secularism doesn't mean infidelity or atheism, but is as such, frankly speaking, in as much as it does not see fighting infidelity and atheism as being one of its tasks.

Secularism, frankly speaking, actually defends the freedom of alternative faith which (believers) call infidelity. Secularism defends the freedom of atheism as much as it defends the freedom of religion and the freedom of religiosity. We should have educated people that secularism is more suitable for the country as well as religion itself, and I believe there is still time to do that.

We do not need a deep philosophy that is difficult to understand, but the experiment of Islamists and the religious among the Muslims in the Western secular world is the best proof that the freedom of religion is preserved under secularism even more than in societies where Muslims constitute a majority.

Foisting the Religion

Hypocrisy is a social phenomenon in our societies, which is regrettably exemplified in the political sphere. Islamists practice it more than others. This happens when an Islamist tries to portray himself as a democrat when he doesn't believe in democracy because, in his culture in which he has been brought up for decades, it represents to him the rule of the people instead of the rule of God. This represents a negation of the philosophy of monotheism on the political level.

But he rode the wave of democracy when he saw that there is no way to achieve his dream of establishing an Islamic state. The secularist also practises hypocrisy when he pretends to be religious for fear of being accused of infidelity or deviation from religion, although I do not see any contradiction between being secular and religious when one sees his belief in religion and his religiosity as a personal affair.

But hypocrisy is when (the secularist) foists the religious language into his political discourse without a need or reasonable justification. I personally regard honesty as an asset for the politician and hypocrisy is the opposite of honesty. Honesty doesn't mean that politicians must say everything they know about facts that there is no need to be mentioned, or to reveal all the ideas and beliefs that they adopt, and under all circumstances, and to be unwise.

There is a conversation surrounding every accident, and for every situation there is a discourse, as the saying goes. But there is a difference between not saying all that one knows and talking contrary to the reality that he knows or contrary to one's convictions which he holds. The former is wisdom, whereas the latter is lying and hypocrisy. The corruption of a politician lies primarily in him engaging in lying, hypocrisy and double standards.

Religious loyalty played an important role in elections, especially at the beginning of the experiment. As time went by, it developed into something worse, that is sectarian loyalty. Religious loyalty is narrower than sectarian loyalty since it includes the religious only, while sectarian loyalty includes the religious and non-religious from this or that sect. I can say with certainty that 90% of voters vote on sectarian basis. Largely, Sunnis do not elect Shia and vice versa.

What encourages and strengthens this bad phenomenon is that most parties or electoral coalitions are either Sunni or Shia, and each side insinuates to its audience from among its respective sect that it is the protector of the sect from the 'terrorism' of the other sect, or the protector of the latter sect from marginalization and repression at the hands of the former. Secular, trans-sectarian, trans-religious, trans-ethnic parties are still weak.

Politicisation of Religion

The politicisation of religion, as well as political sectarianism, has indeed contributed to bringing unqualified officials who concealed their lack of knowledge and experience behind religious rhetoric. The politicization of religion and political sectarianism have certainly contributed to the rise of politicians who not only lack qualifications, but also lack integrity. Financial corruption, and stealing or squandering public money, was strengthened through hiding behind religious and sectarians slogans. When sectarian and religious parties got into government or became influential, they started to cover up for the corrupt in their ranks. The phenomenon of mutual cover up of corruption among the same political foes appeared. Each party cannot expose the corruption of the other because it seems that the rival 'other' also holds corruption files against him. The use of religion has brought those who lack qualifications and integrity into office.

Efforts to democratise Iraq have not failed, but they have not succeeded either. It is true that we, as democrats, have been hugely disappointed. I think it was possible to make important and huge strides over the last decade on all fronts, primarily on the level of making the democratic project successful, but also on the level of rebuilding state institutions and of making progress toward achieving development, with all its facets, the provision of services, as well as achieving a higher level of social welfare.

There is no doubt that the coming to power of Islamic and sectarian parties and unqualified politicians, who do not care about anything but their personal perks, followed by the interest of their parties, and the interest of their sects third, all this has resulted in the failure of the project of democratic transition, which had great chances of success. From this angle, we can say that the project of democratic transition has not succeeded, and I do not wish to say it has failed, because there is still a system where democratic mechanisms, such as multi-party pluralism, elections and transition of power, are practised. This system has grounds to achieve more

success in the process of democratic transition. But it continues to, and will for a long time, be run by a non-democratic, unqualified and dishonest political elite.

The reasons for the failure of the democratic transition are as follows:

a. The domination of the forces of political Islam

b. Resorting to political sectarianism

c. The absence of parties, in the political sense of parties, because the existing ones are sectarian and ethnic parties

d. The disease of double standards and hypocrisy which reaches the level of what I call 'political esotericism' [i.e., parties having a secret agendas]

e. The non-separation between religion and politics

f. The decline in cultural and educational levels and the spread of illiteracy.

g. The absence of effective and influential democratic secular parties whose political thought does not belong to the past, but moves forward with a modern vision and a new thinking that possesses the courage to make a decision to rupture with the past, be it the distant past, especially that which is linked to religion or axioms that cannot be discussed, in addition to traditions, or the recent past and the political experiments of the first half of the past century.

There are positive signs on the development of Iraqi democracy, but these are limited and represent slow and hesitant transitions. As far as the democratic political awareness in Iraqi society is concerned, there is a noticeable improvement. But this improvement has not been transformed into courage for change and a will for correction.

Pessimism

Reforming the political process is still no more than a desire expressed by the citizens in all different types of expression. This desire has not been transformed into a will exemplified through the votes of the majority of voters, as if the voters are saying to the secular trans-sectarian and trans-ethnic democratic forces that reject the politicisation of religion: (Our hearts are with you but our votes are for the leaders of our sects).

In the short term, I am not so optimistic, so I cannot put a specific time frame for the democratic experiment to take root. In the light of the current political, social and cultural scene, I think we need several decades in order to reach a modern secular democracy. But, as much as I am pessimistic I can see the future ahead of me where the dreams of the wise will be realised.

I am certain that this represents a historical inevitability and a norm of life. The entire social march of human society goes in a wiser and more humane direction. When the principles and values of justice, equality, and respect for human rights and the sanctity of human freedom, and by this I mean responsible freedom, whose responsibility stems from the position of free choice, not from the position of imposition from the above and censorship, are observed, then people will be able to coexist in peace and love.

Diversity becomes a factor of enrichment and free competition on an equal footing to achieve what is best and at the same time respecting the other opinion. Aren't these the characteristics of the secular democratic system? Aren't these the feature of modernity? Isn't modernity nothing but marching in tandem with the times and the movement of history, rather than against them? This, therefore, makes me optimistic

about the future but I am not optimistic that this, or most of it, will happen in the near future.

Nevertheless, we have to acknowledge a law that governs this development, i.e. that there is no iron formula for the laws of history, because the course of history does not unfold according to fixed laws like mathematics, physics and chemistry. Historical inevitability has a flexible and variable law. Some unexpected events, or which seem to be sudden, might act to expedite the march of history, while others slow it down. What we might expect to take place in three decades might happen within a decade, and vice versa.

We need a long time until the general culture of society will have been transformed into a culture that rejects these corrupt and incompetent political forces, which exploits religion, sect and ethnicity for the sake of power. Until the emergence of a new political class that is free of the diseases afflicting the current political class, and until this class organizes itself, becomes capable of confronting the political octopuses which possess wealth, power, loyalty and expertise, and come to possess the ability to compete with it, and then displace it democratically from its positions, and replace it, and then legislate laws that are more in line with the spirit of democracy and the modern state, the state of secular citizenship, until all of this and other things happen, it is natural that we need time that might be long, and I personally believe that it will be long. But if we achieve a correction of 5-10% every parliamentary term, we will be marching in the right direction, toward the desired goal or goals.

Moving into Secularism

I have moved from Islamism into secularism, but throughout the stages I passed through, including the stage of my strict and naïve Islamism, and I wouldn't describe

it as extreme, when I look back today in order to study and evaluate these stages, I can say in retrospect that the seeds of secularism have always been hidden within me, even though I discovered them lately. I believe that the nature of my personality has always been closer to secularism, and my place in the Islamist community was wrong.

Despite this, I would like to summarise the main reasons for my transformation from Islamism to secularism, as well as the stages of this gradual, rather than sudden and abrupt, transformation through the completion of maturity, as follows:

In the early 199s, a decade after I became an Islamist, I began to pay attention to democracy. I researched it and wrote about it in the light of my understanding of Islam, as a believer in religion, committed to its fundamentals, believing in its universality and inclusiveness of all corners and dimensions of human life, including politics. In other words, I believed then in political Islam, or Islamism, even though in the moderate type that seeks to be reasonable. As soon as I became interested in democracy, I found myself to be a firm believer in it, which pushed me into finding a 'legal' cover for it from within religious thought.

I was successful to a large extent, in my opinion, [to find and Islamic cover for democracy], although I do not believe today that what I did then was right. Since I was a member of the Da'awa Islamic Party then, I found some atmosphere within the party that were in harmony with my belief in democracy then, and this made me live the illusion of the possibility of turning this party into an Islamic democratic party.

I tried before the fall of the dictatorship in Iraq to introduce a proposal to reform the Da'awa Party in more than one general party conference, and I continued to expect to succeed in the future, even though I failed then.

Before the fall of the dictatorship, I launched an initiative called 'The Iraqi Islamic Democratic Rally' whose communiqué was signed by more than 70 Islamic personalities, including leading Sunni and Kurdish Islamic personalities, among whom was a very well-known cleric.

After the fall of the dictatorship, I started promoting democracy intensively despite my Islamism then, and the continuation of my membership in the Islamic Da'awa Party. My experience as a member of the National Assembly during the transitional period and as an active member of the Basic Principles Committee, which was the first subcommittee of the Constitutional Drafting Committee, of which I was the secretary, the distance between me and Shia Islamists, politically, intellectually and psychologically, in the Shia Islamic coalition known as the United Iraqi Alliance, started to get wider and wider. The reason for this gap is what I found as their strict Islamism and their insistence on emphasising their Shia sectarian identity and their attempt to add as much as they can of religious (Islamic) and sectarian (Shia) colour to the constitution.

I also found them practicing political esotericism, so I began to distance myself from them and grew ever more distasteful of them. This experience wasn't the only reason for me to complete the rounds of my transformation towards secularism. There was also an intellectual development that was continuing to develop within me.

I started asking myself and others the question whether religion should determine the religious politician's stances, political decisions, and opinions regarding finding solutions for social problems and meeting the society's needs, which are political tasks that must depend primarily on reason and benefit from the human experience.

From Islamic Party to Islamic Rally

I then decided to leave the Islamic Da'awa Party and declared my resignation from it. I founded a political grouping called 'The Rally of Democratic Islamists'. But I soon reconsidered, posing the question why should this grouping be Islamist while all its contents are democratic and almost secular? I then called for changing the name to 'The Rally of Iraqi Democrats' at the end of 2006. I then ended up launching the 'Secular Grouping' project at the end of 2011.

It is, therefore, an intellectual development that took a quarter of a century to complete. I moved from a strict Islamist, to moderate Islamist, to a democratic Islamist, to a democrat in the first place and Islamist in the second place, then a religious democrat, then religious secular democrat, and finally secular democrat.

There is no doubt that my experience has contributed to the maturity of the factors of transformation even if, in my current estimation, it has taken a long time, quarter of a century. At the end of 2006 I embraced secularism completely with full and deep conviction until I became one of the most prominent proponents of the secularism of the state, clearly and without beating around the bush by using alternative terminology for secularism such as 'civicism' which has become so popular among secularists lately. I have repeatedly emphasised how wrong it is to replace secularism with 'civicism' as there are no real justifications to fear declaring our secular identity.

Interview 11

Dr Adil Abdur-Raheem Muhammed

Dr Adil Abdur-Raheem Muhammed was the General Secretary of the Islamic Call Movement (ICM) which is an offshoot of Islamic Da'awa Party. He was the General Director of Education in the ministry of Education. He was a Shia. This interview was conducted via email. Answers were received in Arabic on 12th of August 2014 and were translated by the author. Dr Abdur-Raheem was sadly killed in a car accident in Baghdad in mid 2015.

Answers

The Culture of Loyalties

The success of the democratic process depends on the presence of three things:

1- Fair electoral law

2- Clear and transparent electoral mechanism

3- Full electoral awareness

The electoral awareness is influenced by the cultural state of society. The prevalent culture in Iraqi society is the culture of religious, partisan, tribal, sectarian or regional loyalties. The criteria for these loyalties are far removed from mature and efficient choice. Some candidates were chosen despite the fact of not possessing parliamentary qualifications.

Establishing a democratic system that depends on proper democratic mechanisms and respects the cultural content of the peoples will not face any problem with

religion, at least on the theoretical level, but problems may arise with religious groups for political motives.

The influence of a religious fatwa depends on the (stature of) the issuing religious authority and the number of followers of that religious leader. However, there is a space that is not affected by fatwa.

Loyalty is an entrenched culture in Iraq and this brings the weak to all state institutions and it is one of the factors that impede democracy.

Islamists & secularists share a common culture

There is no difference between religious and secular parties in terms of performance since they, whether Islamist or secularist, share a common culture and upbringing; that is the culture of monopoly of power, exclusion, and marginalization. This is an upbringing that Iraqi political activism has been suffering from for decades.

Allowing only secular parties to work in politics contradicts democracy as one of its concepts is equal opportunities for all. Also, religious parties may be interested in the economic side of politics while secular parties could turn to sectarian rhetoric

It is possible that wearing religious cloths enables candidates to gain votes but not always due to the existence of sections of society that are not influenced by religious discourse. Opportunities (to get more votes) are available for those who want to pretend to be religious

Hypocrisy and opportunism (created by the politicians' double standard) have serious consequences that can render the democratic political process devoid of its content creating in the process a conducive environment for corruption to grow. This

will lead to people refraining from doing any positive action and this will consequently lead to the failure of the political process. This will have negative effects on the social, economic and political levels

Loyalty, be it religious, tribal, partisan or sectarian, was the basis for voting in the previous period.

Both Islamists and secularists presented unprofessional and weak candidates in the parliamentary elections and also for government positions.

Efforts to make the democratic transition were not successful at the required level because all people didn't make the necessary effort to make the transition possible. All of them stuck to their narrow views and cultures which favour sectarian interests over the interest of the public project.

There are two factors for the failure of the democratic transition: external which is represented by the flagrant regional interference because their (the regional powers') interests would not have been served if the democratic project in Iraq was successful. The other is internal and this is represented by a low culture (awareness) that smacks of monopoly of power, exclusion and marginalization which all political forces in Iraq suffer from.

There has been a slight development that is noticeable in the freedom of expression and the media as well as the amendment of the electoral law and electoral mechanisms. There were also some rare instances of dialogue and understanding between political forces.

There are dangers that threaten the unity of Iraq and may consequently lead to the failure of the experiment. The deep division in Iraqi society is one of the biggest challenges ahead. In addition, the interests of international and regional powers in Iraq do not accord with Iraqi interests. If things go in a positive direction, then we will need decades for the democratic experiment to take root.

Interview 12

Professor Ali Allawi

Professor Ali Allawi is the former minister of trade, defence and finance between 2003-2006. He is also the author of several important books on Iraq among which is 'The Occupation of Iraq' and 'Faisal 1 King of Iraq'. He is of Shia background. He is currently working as university professor in Singapore. The interview was done via email and answers were given in English and sent on 28th September 2014.

Answers

Types of Impediments

a. Cultural impediments include the prevalence of tribal and patriarchal values that reduce the scope for individual action, thereby limiting or undermining one of the principle premises of democracy.

b. Religious impediments are the arguments that Islamic political authority cannot be based on simply the views and positions of a political majority. Political choices must necessarily be constrained by religious injunctions that are above and supersede the will of a majority.

Consolidating not Impeding

A religious fatwa does not necessarily impede the democratic process. The positions of a religious authority can even consolidate the democratic process. A good example of this is the support of the Catholic Church to Christian Democratic parties in post war Europe. Arguably, they consolidated the democratic process in the face of a communist alternative.

Without doubt the tribal, sectarian or regional affiliation or bias impedes democratisation in Iraq. These primary identities overshadow the democratic process.

By and large, a secular party is better placed to be fairer and more democratic than a religious one, unless it turns secularism into another religion, as had happened in Turkey and Tunisia.

I think Iraq should allow for a blend of political parties that appeal to different constituencies. There is nothing that makes a focus on economic well-being (or crudely, class interests) better than a religious basis for politics. This is a false dichotomy that I do not subscribe to. Politics is to do with an ethic that focuses on expanding and enhancing the public interest, and not simply the improvement in individuals' economic well-being.

Iraq is NOT a religious society in the sense that is governed by a general commitment to an ethic of virtues rooted in a religious tradition. It is religious only in that it appears to formally accept the outer norms and features of a factional/sectarian understanding of religion. Wearing religious garb might be useful today. Thirty years ago it was ridiculed and those wearing it were not only powerless but were considered reactionary outcasts. Circumstances change and the fickleness of formal commitments to religion is well documented in Iraqi society.

Rhetoric Brings Votes

For the time being, this thesis (religious rhetoric helps politicians get more votes, and this fact encourages the non-religious to pretend to be religious in order to get more

votes, even though they are not religious in actual life) is correct. However, Iraqis are prone to radical shifts and it is quite likely that whenever their interests are seen to lie elsewhere, there will be a mass migration away from the use of religious rhetoric and symbols.

Hypocrisy by the politicians AND the electorate necessarily effects adversely the performance and efficiency of the political class. People in Iraq have voted in the last three elections according to their sectarian affiliations (as opposed to religious).

Only good can emerge from a politics rooted in ethics, which obviously includes ethics based on the idea of religious virtues and values. We have an unscrupulous political class that uses the politics of fear, marginalisation and anxieties of dispossession to push people into primary identities that are antithetical to the politics of enhancing the public interest.

Democratization in Iraq has absolutely failed over the last ten years. It was an idiotic experiment based on the childish prognostications of ideologues in the west-mainly the US- and the exploitation of democratic principles by utterly unprincipled and corrupt politicians to enhance their individual and family claims on power.

I have noticed no positive signs for democracy in Iraq. I have found ample evidence that electoral democracy in an environment that is full of conflicts and contradictions and an elemental struggle for power is a recipe for disastrous misgovernment.

No true democracy can exist in Iraq until and unless the degree of political maturity is expanded exponentially and that primal loyalties and identities are transcended in a new calculus of power. I don't think this will happen in my lifetime. We need stability,

institutional development, ethical renewal and leadership before we experiment with the ridiculous mechanism of arithmetic majorities as somehow representing the "public will".

Interview 13

Mr Sharwan Al-Waeli

Mr Sharwan Al-Waeil was a minister for national security in the period (2006-2010). He elected an MP for province of Nassiria between (2010-2014), He was a member of the IDP-Iraq Organization. He is currently an advisor to the president of the republic. He is of Shia Background and a former Islamist. The interview was conducted in Iraq in Mr Al Waeli's house in the Green Zone in September 2014 and it was face-to-face and recorded on a tape.

Answers

The Ills of democracy

Democracy in Iraq was built abroad and this has led to real misunderstanding or a misreading of the reality inside Iraq. The internal situation was not taken into consideration because [the rule of] the consecutive unstable regimes, especially the former regime, and this has left wrong concepts and consequences on the Iraqi arena inside. The participation of the Iraqis from within Iraq was not real or clear. Rather, ideas, some of which were standard ideas which might be suitable for other peoples and not the Iraqi people, such as giving total freedoms, were brought into Iraq. The transformation was by 180 degrees all over a sudden. This has made the Iraqi democratic transition immature.

The transformation from a centralized totalitarian system that had legal rules for everything to a chaotic system in every sense has led to distorting the understanding of democracy. The Iraqi cultural (awareness) reality should have been taken into consideration because the last time we had democracy was in 1958. Consequently, Iraqi generations have not opened their eyes to democracy. If standardized global views on democracy are applied to the Iraqi people, they are bound to fail. Democracy is not just ideas and procedures on their own. It is practice as well. The political elite understands democracy as the monopoly of power. The governed didn't have a proper understanding of democracy either. The citizen is still in need of cultural concepts that raise his standard so that he could apply democracy.

Religious practices

Harm does come out of mixing religion and politics. There was an attack on religion, i.e. a terrible exploitation of religion in politics, as it was used for the promotion of parties and persons and marketing them. They have marketed themselves through religion, especially those belonging to political Islam (members of Islamic parties). There was a horrible exploitation of religion. Unlike the political parties, the religious authority (*marja'iyyah*) was the only party that kept its distance from benefitting from

religion and acted as the sponsor of the national project. Yes the religious authority allowed its representatives to stand in the first elections in order to save a project and not for personal gain. It intervened because it didn't accept an elitist constitution. It insisted that the constitution be written by an elected national assembly. It did not interfere after that. But there are those who claimed, in whispering tones or by insinuation, to enjoy its support, or spoke out on its behalf, but it did not interfere. There are multiple religious authorities, and I am talking about the religious authority of Sayyid Ali Sistani, not the others.

Fatwa

If an individual is not culturally qualified (educated enough), and he is not self-sufficient (culturally), then his emotions are liable to be exploited. Political parties have exploited the citizen and his need to get a job and other simple needs. Let's not forget that those who are below the poverty line in Iraq constitute 37% of the population. The citizen has been exploited and his emotions have been played with by political parties and his vote was stolen.

Tribal loyalty is not very strong in the cities, although it is still strong in villages, but sectarian loyalty is more wide-spread, and so is party loyalty, because a large percentage of the people rallied to the political parties. There are also religious and party loyalties among the tribes. Religious and sectarian loyalty is harmful to the democratic process.

We don't know if secular parties are fairer because we have not tried their rule so far. Perhaps in the future. Religious parties have exploited people's religious and sectarian emotions.

Secular parties have more chance in the future but it's not fairer on the whole. Religious parties began to field secular and religiously non-practising personalities among their candidates. They began to talk about the 'civic state'. They have been trying to market their traditional personalities in order to get votes this way. Religious parties resorted to talking about the civic state because they have failed. Yes there is a change in Iraqi society and it's away from religious parties.

Electoral system

Iraqi electoral system is shaky and it gets changed in every electoral season. I have challenged the provincial electoral law and managed to get parliament to adopt the Saint Lague electoral system and my list won 3 provincial council seats. But large parties try to deprive small parties from wining any seat. We have tried to pass a law to adopt the Saint Lague electoral system for the parliamentary elections but the big parties amended it to make it divisible over 1.6 instead of just one. There must be a popular will to change the electoral law, otherwise big blocs will keep manipulating the law. Big blocs came to prominence because of their sectarian and religious rhetoric.

Religious and sectarian rhetoric was extreme and focussed this time and those who resorted to it got many and incredible votes. Yes, religious rhetoric is useful and promotional for candidates.

The results of the last elections will convey a message to the new member of parliament that if you are sectarian and able to collect money (illegally), you will win. One of my MP friends advised me to change my message and make it sectarian in order to win, but I refused because sectarian talks is *haram* (sinful) in my opinion and I am a religious person.

Religious cloth

There is a (political) benefit derived from wearing religious clothes; and not just clothes, but anything that refers to religion such as beards, rings, turban, and frequenting mosques and attending Hussaini rallies. As long as there is a benefit from religious rhetoric, non-religious candidates will keep using it. I have a friend who is not religious but he used religious Hussaini rhetoric in the election even though he is not religious at all.

The problem is that people are not happy about these practices (the use of religious rhetoric) but during the elections, they vote for sectarian politicians because of their fear of the other. There is a secret which is that the citizen has reached a stage where he cannot compromise on the sectarian identity even though he is hungry, unemployed and his rights are taken away. This trend is harmful to society. I am a practising Muslim from a practicing family but I kept away from these practices because of fear of being accused of showing off. I started relinquishing these rituals. This means that hypocrisy and deception began to affect real religiosity. There is a tradition that goes: "Men are evaluated according to the yardstick of the religion of Allah, whereas the religion of Allah cannot be evaluated by the yardstick of men." Deceptive rhetoric is not real religiosity.

Religiosity and political performance

It is possible that a non-practising Muslim is a good politician and religiosity is not a condition for integrity or efficiency and the proof is that there were no signs of corruption or exploitation of public funds or exploitation of the police recorded against the Iraqi Communist Party even though they do not believe in religion to begin with. Political conduct differs from religious one. It is important that we get capable people who could benefit society, not those to pray and fast in front of people. Using religion in the political sphere is harmful to the political process.

The political process brought non-qualified people either because they belong to a religious family or a religious party or they have a relation with this or that individual.

13 people from the Shia Endowment Office became members of the National Assembly because of their relations (with influential individuals or parties). You rarely find people who came to office because they are qualified. There are those who reached leadership positions under religious title.

Effort of democratization

There is a big waste in the efforts of democratization in spite of our determination and sacrifices. But we have not reached the stage of despair. There is a need for correcting the legislative code, from a party law, electoral law to a really independent electoral commission. The electoral commission which was formed during Bremer's time was better than the current one because the UN participated in its formation. It wasn't very strong but it was much better.

Current law and religious rhetoric

Current law states that no religious symbols, photos, places of worship or state institutions can be used for electoral purposes. Some parties spent billions and no one asked them where they got the money from. The electoral commission is weak and not independent. The constitution is there but it is violated. The grounds are now ready for an independent and strong electoral commission. Vote rigging took place in the last elections more than any other elections and I am a witness to it. When the electoral commission becomes strong and not subject to blackmailing, it would not matter even if the governing party is contesting the elections. The current electoral commission has been formed from the main parties in parliament and the loyalty of the members of the commission was for the influential parties who are participating in the government, that's why the commission is now restricted.

The rentier state

Money is theoretically accounted for in the budget and exploitation doesn't happen through the budget. It is hidden and the exceptions made by the government are one of the windows for corruption. For example, the decision of the council of ministers which give money during the elections in the form of workshops, appointments, facilitation (of events or projects) and this is done by all the parties participating in the government. There are politicians who can be bought with an armoured car or half a million dollars. On the other hand there are others who cannot be bought with a mountain of gold.

Practically, oversight is weak and I have referred more than five hundred cases of corruption to the Integrity Commission but the judiciary didn't do anything because there was no oversight. Even the MPs who signed on referring cases to the Integrity Commission are now outside parliament. This is a message that anyone who speaks out against corruption, it will backfire against him. We have a problem. The closest case to us is Lebanon but Lebanon has a strong private sector that has no relation to the state. In Iraq, the decisions to spend money are connected to the state not the institutions. There are things which are not constitutional such as the Agricultural Initiative, the Economic Initiative and the Educational Committee. These have no place in the constitution.

There are judges who occupy important positions have weak points which make them weak before politicians and officials. He who has a weak point is led easily (easily blackmailed).

Positive signs

The positive thing is that the people began to distinguish between the good and the bad, whether form parties or individuals. When the people are free of parties and

when we have a '[civil] service council', then individuals won't be able to dominate appointments or the laws or the [electoral] commission. We will also benefit from our past mistakes.

The parties began to reform themselves because they have become a source of anxiety for people as well as not acceptable in public opinion. Parties began to bring independent personalities among their candidates.

Freedom of the media and criticism. Elections are only procedures but there was no real democratic practice. But the existence of the freedom to criticize could lead to a better situation.

Interview 14

Miss Maysoon Aldamluji

*Miss Maysoon Aldamluji is an MP for Baghdad for the Iraqia Patriotic Bloc and was an MP for Musil in the 2006-2010 parliament since she originally comes from Musil. She was Deputy Minister for culture (2004-2006), She is Editor-in-chief of the women magazine, **Noon**. She is British-educated with an MSc and MA in architecture. She is of Sunni background. The interview was done by email and the answer was received in English.*

Answers

I think Iraq was given a strenuous opportunity to turn into a democracy, in very difficult circumstances. Following many decades of tyranny, wars and sanctions, Iraq was invaded by foreign forces, Saddam Hussein's regime was toppled, and army and security forces were dismantled, leaving a massive vacuum that gave way to insurgency and militias to compromise Iraq's security and sovereignty.

Iraqis No better off Now

I do not think that the Iraqi experiment of democratization has been successful. In many aspects, Iraqis today are not better off than they were before 2003. However, I do not think that Iraq is a lost case. The opportunity still exists to build a real democracy in Iraq.

The main obstacles, in my opinion, are the poor historic examples of a democratic tradition, absence of democratic institutions, weak judicial system, rentier economy,

sectarianism, centralization and legitimacy among the ruling elite. 'Historic examples' applies to all countries of the world that begin democratization for the first time, not just Iraq. A nation builds up its democratic traditions through accumulating collective experience.

Iraq is part of the greater Middle East and it is affected by events in the region. It also has the potential to influence neighbouring countries. Democracy could prevail with both internal and external factors. Internally, a process of democratization will have to include building state institutions, decentralization, reconciliation and a strong independent judiciary. None of this is impossible to achieve. Externally, the end of the conflict in Syria and the turn out of the "Arab Spring" will certainly influence the shape of Iraq's future.

Ancient History

A moderate version of Islam could live peacefully alongside a democratic system. A moderate version is one that does not take an active part in every day politics, yet monitors the overall process and takes part in forming public opinion.

Democracy, as I understand it, is a set of values that include human rights, women's rights, minority rights, freedom of speech, freedom of conscience and religion, etc. Therefore, I do not distinguish Islamic democracy from western democracy. It's indivisible.

Islamist parties identify themselves with ancient historic events. They use the Quran as their reference in legislative, executive and judicial matters. They do not recognize any example outside this framework. Seculars identify themselves with

national symbols, and use international declarations, agreements and protocols as their references.

Their (Islamists) symbolism is easily identified with the populace. They also have the advantage of Western and regional support. I am totally convinced that the Bush administration gave weight to Islamic parties in forming the Governing Council, and abided by the views of the Shia religious leadership (*Marji3iya*) in drafting the constitution. Even the timing of the first elections was obviously in favour of Islamic parties.

Islamist parties have not been performing according to the ideals they have set themselves to. Far from it. They promised justice, but were not able to deliver.

I think that the failures of Islamic parties are intrinsic. Iraq is a complicated state with a complicated social system. It is also a state rich with a variety of resources. Islamist parties did not set out to build a democratic state.

I do not think that there is a need for religious parties in Islamic countries. They have caused sectarian conflicts in Iraq and failed to run the state. Islamic parties claim to speak on behalf of God, in accordance to their interpretation of the Quran.

I do believe that democracy cannot exist under religious parties, or totalitarian parties, even if they were secular. Democracy, in my opinion, is a set of modern values that recognize the freedom of individuals and rights of groups (women, children, elderly, etc.). I do not believe that democracy can be identified as Islamic or western.

Islamist parties have impeded democracy on more than one level. First, they stick to Islamic doctrine on personal affairs, allowing children to marry at the age of 9 or less, discriminating between men and women in inheritance and allowing women to be beaten up by their spouses and siblings as a measure of discipline. A woman's testimony is not allowed in a court of law. I could go on for pages. On a different level, Islamist parties encourage sectarianism and permit religious discrimination against non-Muslims.

Interview 15

Dr Fareed Ayar

Dr Fareed Ayar was a member & Spokesman of Independent High Electoral Commission in Iraq (IHEC) (2004-2008). He is the General Secretary of the Union of Arab News Agencies. He is a veteran a journalist. He is German-educated and of Christian background. The interview was conducted face to face in his house in London in October 2014. It was recorded on a tape.

Answers

Democracy is not an ideal idea. It's a good system for those who appreciate what democracy is all about. Therefore we need to specify the nature of the peoples or human groups where democracy is to be applied.

I believe that democracy doesn't benefit Iraq currently and we must find a new idea or a system other than democracy which the US has parachuted into Iraq. If we study the first elections held in Iraq to establish democracy firmly after a long totalitarian dictatorial regime, we would find that the application of democracy was not good or right in the sense that is prevalent now.

Low Level Awareness

During the first elections, which were held on 30 January 2005 and in which I was a member and spokesman of the Independent High Electoral Commission in Iraq (IHEC), 8 million voters participated in the elections … 4 million of them were Shia who went to the polls to elect representatives of the Shia without any real electoral

programs. Nor were there any guarantee from those they would elect that they would give freedom of speech afterwards. Two millions, who were Kurds, voted on an ethnic basis. Two other millions, who were Sunnis and Christians and others, also voted on the same basis. As such, those elections were not really conducted in the right way because the cultural (awareness) level of the Iraqi people was not up to the standard of realising the meaning of democracy.

In a proper democracy, voting must be on the basis of the political projects and programmes presented by the candidates, parties or political groupings. The problem with voting on the basis of sect, religion or ethnicity is that it is based on compulsion not freedom. A Shia cleric can order a thousand Shia voters to vote for one candidate who is not known to them. This is voting not electing and there is a difference between the two. This is the problem [that impedes democracy].

There was no democratic situation during the formation of the first government. Those who were elected were not afraid of the electorate withdrawing their support from them as they voted for them because they were Shia and as long as they remain Shia, they will vote for them again. This is the problem and we must find another formula or system to apply the so called democracy in Iraq. Current democracy in Iraq has not taken root, on the contrary, it is fragile because it is based on ethnic, religious and sectarian bigotry.

There is another thing and it's how to make the electorate qualified to elect [the right people]. There are illiterate people who go to vote, and beside them stand educated people who are graduate of renowned universities. There is a huge difference between the two. How can they be equal?

I don't see any problem regarding the lack of equality, I believe it is an important matter and I wrote about it in one of my books. The problem is that even applying democracy in the right way, there must be some conditions or terms imposed on the electorate. We must not treat this as a matter of discrimination in accordance with article 19 of the UN charter and one must have also completed the intermediate level of education [the stage below the secondary school level] to have the right to vote. We do not want elections to be done wrongly because of religious influences and outdated customs. Religious, ethnic and regional fanaticism flies in the face of democracy and impedes its application.

I believe secular parties serve democracy more than religious parties which do not believe in democracy to begin with and regard it as a 'despicable satanic act' as I read in some articles for prominent Islamic writers. They [Islamists] practice deception in order to get to power as happened during the reign of Egyptian President Muhammed Mursi. Therefore, secular parties are more receptive to democracy and are subject to many of its terms. However, secular parties in third world countries (which are called developing [countries] out of politeness, although they are in fact backward) are also too negligent. Take the [Iraqi] Communist Party which was able to organize a demonstration of one million people in Al-Rashid Street back in 1959. Now it is unable to get one or two candidates to parliament.

Tunisian Islamists accepted democracy reluctantly and if it was left up to Rachid El Ghannouchi [the leader of the Ennahdha Party] to implement what's in his mind, he would have been among the most extreme of those applying religion and bigotry in power but his party was forced to accept democracy. This is why you see the Islamist government formed after the fall of Zeinul-Abideen Bin Ali in Tunisia accepting democracy gradually. Otherwise, it would have become one of the most extreme religious parties in the Arab World [if they had their way].

Electoral system

We [at IHEC] at first had banned the use of religious symbols [in electoral campaigns] but religious parties managed to manipulate this [ban] in a very strange way. They were printing many publications bearing the pictures of religious leaders, Sheikhs and *Sayyids*, and when we would hold them to account, they would deny having done so and attribute it to their supporters, and this was always an excuse in their hands.

In my opinion, parties should not be established on religious bases in any country. Banning the establishment of parties on religious bases does not breach the principles of democracy. If we allow them [religious parties] to work, then the voter would be under the influence of the clergy and this restricts his freedom. In fact, his freedom would be non-existent because of his connection to religion.

We have tried to ban the use of religious symbols [in elections] but we were not able to do so because there was a feeling of freedom [euphoria] among all people, and the religious parties among them, at the time, so we couldn't really stop them. But we did mention that it is not permitted to use religious symbols, mosques, Husseiniyahs and places of worship.

Religious discourse encourages the making of false claims, hypocrisy, and opportunism. Many people became MPS and officials [as a result of using religious discourse] while they were Marxists in the past. They did this for political and material reasons. The road to power is now through opportunism and the use of religion.

This double (deceitful) fanatic religious, sectarian discourse, has created the bigotry and backwardness in all dimensions of life that is currently happening in Iraq. This is their message and they have no other guiding or civilized message. The electorate voted on the basis of their sect, region and ethnicity and the use of religious and sectarian discourse led people to vote in this way.

This discourse has brought unqualified persons to parliament, government and leadership in the country. This is the reason why the country has reached this decadent stage at the moment on all levels. Now unusual measures are needed in order to improve the country's situation which is at the bottom of the list of failed states and these past years are what put him in this situation.

No Achievements

There are no achievements whatsoever during the last ten years in my opinion. The change of MPs in this manner, whereby in each parliament there are 325 or 275 [MPs who would get pensions later] is not beneficial for the country. The number of retirees will be huge, and half of the Iraqi budget will be spent on the salaries of retired people. This is a very serious matter. Spending is overly focussed on non-productive things which are not in the interest of the country and its infrastructure. I wish the previous MPs kept their seats so that we can cut expenditures.

Change comes after difficult gestation in our countries unlike in the west where change comes about smoothly. Yes, changing persons through elections might help democracy take root, but these things do not reform [rebuild] the country in my opinion. What's more important than these matters is to focus on educating the people and raising their scientific and knowledge capabilities. Da3ish (ISIS) won't be fought by dropping bombs alone, but through education and the spread of awareness and knowledge. There must be cultural solutions. I went to Canada to

monitor elections. In fact, I was learning not monitoring. [In Canada] they teach elections in the primary school classes. The do the same in Austria. I was impressed by this and we must do the same in Iraq.

Freedom of the media

Yes, the press is free and there has been freedom since the abolition of media censorship in 2003. TV channels are proliferating like mushrooms and this proliferation doesn't lead to progress or to guiding the people towards their basic issues because these [channels] are [for the most part] religious and they broadcast material that soils the reputation of the Iraqi people. The media expanded a lot and those who work in the media are far above 10,000 journalists now. I do not see this as a healthy state of affairs. There must be some conditions for people to become journalists. It is okay for the number to grow if they were professional, qualified and believers in the honour of the profession. It is necessary that there are professional organizations to train journalists in order to enable them to convey information to the electorate and citizens so that they can vote in the right way.

Rentier state

Rentier state makes people dependent on the state because all resources are in the hands of the government and citizens become dependent on the person who has the money and that is the Prime Minister. He distributes the money as he sees fit and this is one of the biggest obstacles to democracy which impede it from progressing or taking root in Iraq. It is important that a private sector exists so that taxpayers and people in general can hold government officials to account. There is no real economy in Iraq now as agriculture has gone and so has industry. Only oil is left.

The Ruthless Just Ruler

All these forms of democracy, such as elections and parliaments, are of no benefit to third world countries presently because peoples are in need of just rule associated with ruthlessness. There is a need for ruthlessness. I have seen from my experience that ruthlessness yields benefits for the people in third world countries and that democracy does not lead to any result. There must be a strong leader [in charge] like the one in Egypt right now.

Legitimacy

That legitimacy comes through the ballot boxes alone is an incomplete statement. The 'brain boxes' are the ones which bring legitimacy. The ruler must be constrained by a law and constitution. I am talking about the 'just despot'. I believe that we must give the army a role, but the problem now is that there is no [professional] army that believes in the known military values. Our current army is in a regrettable state. What is happening is that our army defends and doesn't attack. It should have attacked Da3ish (ISIL) in order to defeat it. The reasons for the weakness of the army lie in the current democracy, or let's say the defect[s] in the current democratic system.

Prospects

I do not know what will happen [in the future] and I am really pessimistic. Iraq must not remain a field for experiments. I am pessimistic for the foreseeable future. I am pessimistic. The fearsome thing is the break-up of Iraq. The problem is that there is a trend in the world towards unity yet we [in Iraq] are tending towards division. I believe in the unity of Iraq. I do not want to go out of Baghdad but [find myself] unable to go to Basra, that I love, [without going through border checks]. I reject division even if it comes through democracy in which my belief has been shaken. I advise Iraqis to put the interest of the nation before their personal interests. We must work in the interest of the country.

It's within the right of every individual to work for his personal interest but not through stealing the wealth of the people. There is no problem in working for the personal interest that accords with the national interest. But officials and employees must not get rich at the expense of public funds. The law must be applied on all [without discrimination]. Forgers must not be allowed to continue to work for the state. Sending high ranking officers into retirement is not good enough. Those negligent [among them] must be held to account. Iraq used to work in this way. In my opinion, the real democratic system was only during the reign of [Brigadier General] Abdul Kareem Qassim. The country was more beautiful, cleaner and better and the people were comfortable.

The biggest problem in Iraq now is corruption. Appointing relatives is a big problem and the law used not to allow this. Some Americans who came to Iraq were corrupt enough. There was corruption in many of the contracts that they brought to us including contracts for the IHEC.

Interview 16

Dr Akeel Abbas

Dr Akeel Abbas is an academic, writer and journalist, he was a USAID advisor in Iraq (2011-2013). He is currently an associate professor teaching journalism and English literature at the American University of Iraq based in Suliamaniyya. He is an Iraqi American who is well-versed in US-Iraqi politics and cultures. He is originally from Kadhimia in Baghdad and of Shia background. The interview was done by email and answers were received in English on 25th October 2014.

Answers

There are indeed several cultural and religious impediments to the establishment of a fully democratic system in Iraq. On the religious side, in general clergymen, clerical institutions, and Islamic parties look suspiciously at democracy, considering it a Western invention that has no basis in Islamic teachings. Even those pro-democracy enlightened clergymen and Islamists cannot cite from Islamic teachings any real evidence in support of democracy beyond the reference to the shura principle which merely involves consultation among the elite about state decisions and policies (little to do with democracy as people's real participation in selecting their representatives and rulers). On the cultural side, Iraq has little knowledge or practice of individualism and genuine respect for pluralism, both of which are fundamental pillars of any effective democracy

Voting the Clergyman's Conscience

 A religious fatwa, real or imagined, undermines the very notion of elections as one is voting his/her own conscience. It becomes rather voting the clergyman's conscience by thousands or millions of his followers. It also stops individual voters from

developing the necessary skills to examine the electoral platforms of the different candidates. Through this process of examining and comparing different platforms and making a personal voting decision based on it, people become enlightened and educated voters who can think independently, not merely followers who vote based on voting decisions made by their religious leaders.

With the exception of regional affiliations, yes tribal and sectarian affiliation or bias do impede democratisation because they feed into collective, hierarchal thinking, instead of individualistic thinking that is usually the basis of any genuine democratic process. Tribal and sectarian affiliations are structurally anti-democratic, while regional affiliations are not.

In general, yes a secular party is better placed to be fairer and more democratic than a religious one. A religious party, particularly in Iraq, is tied to pre-modern loyalty and understanding of human affairs, instead of the modern interests of the voting public. A genuinely secular party has the potential to appeal to the interests of Iraqis, regardless of ethnicity and faith, whereas religious parties inherently appeal to the interests of particular groups.

An electoral system that includes only secular parties is definitely better for the country. Without secular parties that transcend sects and ethnicities, Iraq will continue to be prey to sectarian and ethnic strife. Sect-based parties, by their nature, are not pluralistic and have in mind the interests of their sect followers.

Religious clothing and rhetoric bring electoral benefits in Iraq. Because religion is the dominant way of thinking in Iraq currently, many voters attach special value to politicians' acts, displaying signs of religious loyalty or affiliation.

Political Religiosity

I think part of the problem lies in the fact that religious rhetoric helps politicians get more votes and this encourages the non-religious to pretend to be religious in order to get more votes, even though they are not religious in actual life. Common voting appeals and patterns are religious in nature, something that leaves non-religious parties at a clear disadvantage. These parties sometimes find themselves "forced" to adopt religious gestures and rhetoric which, in turn, gives the entire political and electoral process a religious character that is not genuine or truly representative.

This double standard that politicians practice will only promote a false spirit of political religiosity that will deepen sectarian identities and undermine Iraq's national identify. Religion in Iraq is essentially sectarian, hence divisive instead of uniting!

It is very clear that that people in Iraq have actually voted in the last three elections according to their religious and sectarian affiliation. The composition of the parliament reflects the ethno-sectarian composition of the country. If people do not vote based on sect/ethnicity, you might have many Shiites electing a Sunni and vice versa, which means that the composition of the parliament will not necessarily reflect the actual ethno-sectarian composition of the nation

Using religious and sectarian slogans have definitely helped bring unqualified officials who may have hidden their inabilities behind their religious rhetoric. It is very clear from the abysmally poor performance of the state machinery, particularly in its upper echelons and decision-making bodies. A large portion of the general public tends to evaluate public officials based on their religious ethics, not on professional competence.

Democratization in Iraq over the last ten years has partially failed. The value of elections as a periodical mechanism to renew or rescind the trust in the sitting government has been somewhat deeply established in Iraq over the past 11 years. This is despite the fact that the entire election process is unfairly skewed in the interest of religious parties.

Undemocratic Culture

The main reasons for the failure of democratisation in Iraq are as follows in my opinion:

A- A dominant, mainstream culture that is essentially undemocratic in its basic values and system of meaning.

B- Dominance of religious parties that reduce democracy to the mere act of election.

C- The weakness of civil society organizations and secular parties.

D-Sectarian strife that made people resort more to their sectarian identities seeking protection in sect-based militias that are more trusted and effective than the state itself!

E-The initial US failure in keeping the peace and restoring basic services. This gave a strong and lasting impression that democracy does not work, giving rise again to the familiar anti-democratic desire/theme of the strong man as the saviour.

Empowerment of People

The positive signs for democracy that I have noticed in Iraq over the last 11 years are as follows:

A- Generally people have become used to the diversity of opinions, an important step towards creating a democratic culture in the long run.

B- Voting has created a sense of empowerment among people through which they can punish underperforming politicians. This means that there would not be a return to sham, 99.99% kinds of "elections."

The challenges are primarily cultural in the sense a non-democratic culture will have to democratize to allow the emergence of a genuine democratic experience. This means reforms in the areas of education, law and state performance. This is a generational project that would probably 20-30 years to materialize, if everything runs relatively well. The challenge is huge, but success is possible. I think time is on the side of democracy in Iraq, but it will be a painfully slow process.

Interview 17

Dr Kamal Field

Dr Kamal Field is an academic specialising in economics. He held several senior positions in the Iraqi government post 2003 among which were the deputy minister of Finance (2004-6), advisor to the Trade Minister's and then PM advisor for economic affairs. He is currently the Director of the Iraqi Institute for Economic Reforms in Baghdad. He is of Shia background. His father was Welsh (Fredric Field) who had worked in the Iraq oil industry and he settled in Iraq, marrying an Iraqi lady. He lived in Basra till he died in 1970s. The interview was conducted via email and answers were received in Arabic on 5th November 2014 and they were translated into English by the author.

Answers

One of the cultural and religious impediments to the establishment of a fully democratic system in Iraq is the absence of the norms of coexistence when having different opinions or beliefs. There is an absence of belief in the value of equality in rights and duties.

Yes, people's views are influenced by the views of clergymen or tribesmen because the options available to the citizens are few. The general cultural and educational standard does not currently accord with the democratic option and the influence of religious leaderships and others will remain strong until a breakthrough occurs in the level of education and general knowledge of the people. The democratic system in Iraq is at the beginners stages. It didn't come as a result of mass desire, it's actually like a plant that was growing in a hostile environment.

Tribal, sectarian or regional affiliation or bias do not necessarily impede democratisation unless the values of the tribe are contradictory to the values of democracy or good governance...

Secular is not Fairer

A secular party is not necessarily better or fairer. The best party will be the one which believes in the principles of good governance.

Wearing religious cloths does indeed have an influence on simple people but not in the long run.

Religious rhetoric does help politicians get more votes, and this very fact encourages the non-religious to jump on the religious bandwagon in order to get more votes, and this is a common phenomenon in other countries and not peculiar to Iraq.

In a state like Iraq, the personality of the political leader plays a role in creating the character of the political system. In advanced countries (which have a stable political system), the leaders have a limited role in exploiting the leadership position.

People in Iraq have actually voted in the last three elections according to their religious and sectarian affiliation because they do not trust the alternative or do not know any alternative. Using religious and sectarian slogans have helped bring unqualified officials to power who may have hidden their inabilities behind their religious rhetoric.

Democratizations in Iraq over the last ten years have not failed. It's growing but it suffers from teenage concerns, but it will fail if the teenage period has lasted long.

Democracy fails if we do not follow the principles of good governance which can be summarized in the values of efficiency, law and order, transparency etc...

The positive signs for democracy that we have seen are the peaceful transfer of power and the personal and press freedoms, but we have not seen the good governance. According to international experience, democracy requires the strict application of law and this application of law is proportionately linked to the educational and cultural state of society. I reckon it may take another 15 years before democracy can take root in Iraq.

Interview 18

Dr Abdul-Khaliq Hussein

Dr Abdul-Khaliq Hussein is prominent writer and opposition figure to the Saddam Hussein's regime. He is a retired medical doctor from Basra, southern Iraq. He is the author of several books on recent Iraqi political history, politics and sectarianism. He is secular but backs the Islamist-led government and political process. He is of Shia background and lives in England. The interview was done by email and answers were received in English on 6th November 2014 .

Answers

Bedouin Values

Firstly, democracy cannot flourish overnight, particularly in a country that has no history of democracy prior to 2003; even during the era of the monarchy, there was pseudo-democracy. Secondly, it is a fact that after a long despotic regime like Saddam's, chaos will inevitably follow the collapse of the regime.

With regards to the cultural and religious impediment, I strongly believe that there are cultural and religious obstacles against democracy, but the situation is not hopeless. Iraqi culture is a mixture of modernity and Bedouin [values], in addition to the sectarian and racial conflicts. These issues are not unique to the Iraqi people. Almost all the great European democracies have faced such problems; the Thirty Years' War [1618-1648] in Europe between the Catholics and the Protestants which ended with the Westphalia Treaty in 1648. Nearly 20% of the European populations were annihilated. Also the sectarian wars in Britain, but in the end, tolerance prevailed.

Eventually, the Iraqi people will learn how to live together in peace, and come to cherish a democratic regime. Every new regime has its problems, but democracy has history on its side.

Yes, a religious fatwa, be it real or false, in favour or against, any party or individual candidate, impedes the democratic process. I believe religion and politics should not be mixed. Again, I come back to Europe which could not get rid of their political problems until they had separated religion from politics. But, to be fair, Iraqi religious leaders have not issued any fatwa in favour of any religious or political group. But if a politician tries to give a false impression that his party is favoured by a grand religious leader, he will fail and his attempt will be counterproductive. Having said that, and in circumstances like Iraq's, where religion is deeply rooted, and has a great effect on people, I believe it is an advantage, if a religious leader can encourage people to cast their votes without bias to any political party. So far, this has been the case since 2004.

Yes tribal, sectarian or regional affiliation or bias impedes democratisation, but

again, these problems cannot be overcome overnight. The previous regime had revived tribalism and the old Bedouin culture, destroying the very fabric of the society, in such a way that it is almost impossible to be ruled except by the iron fist of the Ba'ath regime. A turn to modernity takes great patience, sensitivity and rationality. Tribal, sectarian affiliation and regional bias cannot be denied or ignored or discarded overnight.

Secular is Fairer

Of course a secular party is better placed to be fairer and more democratic than a religious one, but what about if the majority of the people are allegiant to the religious parties? Democracy means to use ballots instead of bullets to choose the government. What about if the religious party wins? Are we going to revoke the democracy and the results of the ballot boxes and install an unelected secular government? Isn't that dictatorship? The solution is that people must be re-educated about democracy. It was the 19th Century British politician, Robert Lowe, who said: "we must educate our masters", i.e. to educate people who elect their rulers.

-In theory, secular parties are better for the country than religious parties, but taking the current Iraqi situation into consideration, it is almost impossible.

To be realistic, sectarian divisions are entrenched among the people, and it will take time - probably a generation - to change this attitude, particularly when the Sunnis find themselves no longer dominant in the newly founded democratic regime, and the Shia find themselves threatened by the Sunni extremists, like ISIS and al-Qaeda, therefore, merely preaching to people to abandon their loyalty to the religious parties and switch to the secular ones won't work. The Shia fight for their existence, while the Sunnis fight to return to their golden era when they were the main rulers and decision makers.

Even if a constitution is amended to ban religious parties, the religious politicians can establish their religious parties with secular names; for example the followers of Muqtada As-Sadr are calling themselves Al-Ahrar (The Liberal party). Also in Turkey and many other countries there are religious parties with secular names like [(Justice and Development Party (*Adalet ve kalkinma Partisi* or AK in Turkish)]. So how can we stop them in a democratic regime which guarantees freedom for all, and they can claim that their parties are not religious but secular like *Ennahdha* party in Tunis, and Justice and Development in Turkey?

- I don't think wearing religious cloths help politicians get more votes; the leaders of the Da'awa party (al-Maliki party) didn't wear religious clothes, and won the majority of the Shiite votes. While Muqtada al-Sadr is wearing religious clothes and his party lost seats from the previous elections.[1218] Also, Sayyid Ayad Jamal-Eddin, who is a diehard secular who wears religious clothes, lost in both general elections of 2010 and 2014.

If the non-religious pretend to be religious in order to get more votes this will backfire on them, exposing their hypocrisy. The end result will be the opposite of what they hope for. But, the predominance of religious parties, particularly in the Shiite sect, encourages the secular individual politicians to join the religious blocs as happened in the previous elections.

1- Resorting to double-standards has negative effects on politicians in particular, and
2- on democracy in general. Many big names have lost in the last general election
3- because of these infamous double-standard attitudes. As Abraham Lincoln said:

[1218] The statements in red are factually inaccurate. Many IDP members wore religious cloth, while members of Muqtada's party didn't actually wear religious cloth nor have they lost many parliamentary seats.

4- "You can fool all the people some of the time, and some of the people all the time,

5- but you cannot fool all the people all the time." The effect due to these double

6- standards on people will, of course, leave them disappointed and the next time they

7- will not vote for them. Democracy has its own auto-correction tool, people learn from

8- their own mistakes.

9-

The majority of people in Iraq voted according to their religious and sectarian affiliation, except the secular minority who voted for the secular candidates. But even those secular voters voted for their secular candidates from their own sect. I think only a very small minority voted for a candidate from an opposite sect or religion.

Using religious and sectarian slogans has helped bring unqualified officials who may have hidden their inabilities behind their religious rhetoric, but again, time is the best healer. Such unqualified officials will be exposed.

Democratization has not failed

Democratization in Iraq has not failed. Not at all. Democracy has won and is growing steadily albeit with difficulties which are expected. Saddam's regime has gone forever. There is a permanent democratic constitution, albeit with few defects. Four free and fair general elections and five local and regional elections were held successfully with amazing punctuality. The problem is not a failed democracy, but poor preparation. However, people learn from their mistakes. The other problem is that, as democracy is new in Iraq, the loser cannot accept defeat; therefore he/she accuses the winner who becomes prime minister, as a dictator or even worse than Saddam… etc. This is how democracy started in the West; eventually democracy and acceptance of the results of elections have become an integral part of their cultures. Iraqi people are not different.

In my view there is no failure, but there are difficulties which are inevitable with any new democracy as I alluded to above. Democracy has never been born fully developed anywhere in the world. Those who expected that Iraq would become Sweden or Britain immediately after Saddam's downfall were mistaken. However, the difficulties which faced Iraqi democracy are as follow:

a- Iraqi democracy was born at the time when Sunni Islamic terrorism was at its highest. This terrorism is supported by religious leaders of the Wahhabi sect, exploited by the remnants of the Ba'ath to restore their lost regime.

b- The sectarian conflict, which is not new, was exacerbated after the fall of Saddam's regime because the Sunnis, who were dominant in ruling Iraq for a long time, suddenly lost their power and found themselves on equal footing with the rest of Iraqi sects and ethnic groups. Therefore they found themselves at a disadvantage because of democracy and that is why they even collaborated with the terrorists like al-Qaeda and ISIS.

c- The Kurdish ethnicity had suffered heavily during the previous regimes since the foundation of the modern Iraqi state in 1921. Therefore they are suspicious of any regime in Baghdad even the one that is elected democratically and they have their fair share in it. They would like to fulfil their dream in establishing their own national state. That is why they are always in conflict with the federal government, and this poses a threat to democracy.

d- A few old-fashioned regional governments do not want Iraqi democracy to succeed, because they fear that Iraqi democracy will inspire their own peoples, and

that is why they support sectarianism and terrorism in Iraq.

e- Iran factor: Iraq shares with Iran a very long history and a 1600-kilometre border. The Sunni sect is against Iran for a sectarian reason, and the Western allies (the US and the EU) are in conflict with Iran over her nuclear programme. They want the Iraqi government to stand against Iran. Iraq cannot change history and geography, i.e. Iraq is condemned to live with Iran in peace and cooperation rather than confrontation. On the other hand Iraq needs cooperation with, and help from, the US and the EU. Therefore, Iraq is stuck between these two sides. That is why any Iraqi prime minster is like a tight rope walker without a balancing pole.

Positive Signs

There are a lot of positive signs for democracy in Iraq. But, there are people who only see a half empty glass, and others deny the achievements, and a third group fabricates a lot of lies and blame the democratically elected government for the heinous crimes committed by the terrorists, to defame democracy. Below I list very briefly a number of positive signs:

1- Saddam's regime has gone forever,

2- People are free to criticise the government including top officials without any fear of persecution,

3- There are more than 600 political entities, over 7000 Non-governmental organizations (NGO), 1000s of national and local newspapers, scores of radios and satellite TV stations, the majority of them are independent[1219],

4- Several free and fair general and local elections were held successfully. There is a very active parliament and an inclusive government, for the first time; the Aizidis, Shebeks, Mandaens and other ethnic and religious minorities are represented in

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[1219] Statements in red are inaccurate

parliament.

4- Free access to the internet, email, etc.; there are more than 26 million mobile phones, which means only children under the age of 5 have no mobile phones. All these were forbidden during Saddam's regime.

5- Reconstruction of Iraq, all time high oil export, services including nearly 24-hour electricity supply?[1220] have remarkably improved.

6- All universities, schools, hospitals, health centres and many others are fully functioning,

7- People are free to travel anywhere they like… etc., and many others.

If there are negative aspects like imposing hijab or certain Islamic dresses, these are imposed by some Islamist vigilantes without the approval of the government. These vigilantes exist even in some places in Western democracies like Great Britain. In London, some Islamists vigilantes proclaimed certain neighbourhoods in greater London as Sharia zone, and selling alcohol is forbidden!

There are a lot of challenges for democracy in Iraq, these are:

Terrorism, corruption, sectarianism, nepotism, Kurdish issue, unemployment, population explosion, relations with the Arab world, Turkey, Iran, USA, EU and the rest of the world.

As about the prospect for democracy, in the medium and long term, the future is bright, though with difficulty in the near term. Now the Sunni Arabs, after they have tested the ISIS rule, have come to understand that they have to accept the new

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[1220] This is certainly inaccurate as power supply in Iraq is at best 12 hours per day during summer time which is needed most due to high temperature in June, July and August..

democratic regime. As you rightly alluded to in question 5 that "the pluralistic nature of Iraqi society", this is another positive factor for democracy, i.e. Iraq ought to be ruled by a democratic regime because of the pluralistic nature of Iraqi society. "unity in diversity".

We must be fair and realistic regarding the time frame for a true democracy to take root in Iraq. Democracy took 400 years to take root in Europe, and because of the globalisation and high-tech information revolution, in my view, it will probably take 40 years for democracy to take root in Iraq and the rest of the Arab world.

Interview 19

Mr Adnan Al-Janabi

Mr Adnan Al-Janabi is an MP for Babylon for the Patriotic List (led by Dr Ayad Allawi). He is a former minister of state (2004-5), graduate of LSE in Economics, tribal sheikh of the Janabiyyeen tribe (Members of this tribe follow both Sunni and Shia faiths). He is an expert on oil. He is of Sunni background. The interview was done via email and answers were received in English on 28th November 2014.

Answers

Iraq has never been fully democratic. It has been ruled by dictators of varying degrees of despotism since 1958. Since 2003 occupation, the state was dismantled with disastrous consequences, leaving Iraq as a sectarian failed state.

Culturally, Iraq is a tribal society with "Bedouin" mentality which has no respect for representative governance.

Since democracy depends largely on the free will of individuals to vote for their preferred party, a religious fatwa, be it real or false, in favour or against, any party or individual candidate, impedes the democratic process

Tribal, sectarian or regional affiliation or bias also impedes democratisation in Iraq

Yes, a secular party is better placed to be fairer and more democratic than a religious one. Religious or sectarian parties should be banned.

Wearing religious cloths or using religious rhetoric helps politicians get more votes in a religious society such as the Iraqi one. This makes the non-religious pretend to be

religious in order to get more votes, even though they are not religious in actual life because religious rhetoric helps politicians get more votes

The double standard practiced by politicians leads to what Iraq is now: a failed state on the verge of civil war.

Yes, people in Iraq have actually voted in the last three elections according to their religious and sectarian affiliation

Yes, using religious and sectarian slogans have helped bring unqualified officials who have hidden their inabilities behind their religious rhetoric

YES, Democratization in Iraq has failed over the last ten years

Impediments to democracy include the fact that Iraq is a rentier state, also the dismantling of the state by occupation 2003, sectarianism and tribalism.

No, I have not seen any positive signs for democracy in Iraq over the last 11 years

It is difficult to get over the problem of the rentier state, although it is possible to move gradually out of sectarianism and tribalism.

Interview 20

Basim Jameel Anton

Mr Basim Jameel Anton is the Vice Chairman of the Board of the Iraqi Businessmen Union, He is a prominent economist and commentator on economic and political affairs. He is of Christian background. The interview was done via email and answers were received in Arabic on 16th November 2014 and translated into English by the author.

Answers

Cultural and religious impediments to establishing a democratic system in Iraq are corruption, domination, exclusion, ignorance and deriving strength from religion to stop the spread of democracy. Religious fatwa can affect elections and impede democracy in Iraq especially since a large percentage of Iraqis go to the ballot box influenced by emotions not reason. Tribal, sectarian and regional loyalties do impede democracy and the most obvious evidence is that many educated people didn't even get 10% of the votes of tribes and tribesmen.

Secular parties are mostly fairer and more democratic because they usually have a high percentage of educated and cultured people among their membership. Certainly an electoral system that allows only secular parties to be active in politics is better for the country than a system which permits religious parties which might appeal to religious sentiment or provoke sectarian loyalties, to work, provided that each political party presents its economic programme and to pledge to its supporters to implement it after the election.

Wearing religious cloths or using religious rhetoric helps politicians to get more votes. It is preferable that legislation is passed to ban these parties from standing in elections in order to prevent the exploitation of the emotions of simple people and the manipulation of religions for electoral purposes.

Religious discourse helps politicians get more votes and this fact alone might encourage the non-religious to pretend to be religious in order to get more votes even though they are not religious in reality. The most obvious evidence of this is that many secular politicians have joined religious lists in order to win elections. This double-dealing is hypocrisy, opportunism and reneging on the promises made to the electorate.

Sectarian Loyalties

Most voters in the last three or four elections voted on the basis of their religious and sectarian loyalties, and as a result, society, parliament and government ministries were divided on this basis.

The use of religious and sectarian slogans has helped to bring unqualified and inefficient officials who might have hidden their lack of professionalism behind the religious rhetoric. The proof of this is the failure of the previous parliament to produce economic laws.

Iraq's dependence on oil revenues mainly has weakened democratic transformation because it has led to the stoppage of other productive sectors, especially industry, which are considered the magnet for attracting businesses to productive factories which act to create cultures and facilitated the exchange of information and interests. As such, workers are selected on the basis of economic interests and, this way, a part of democracy would be achieved.

The efforts of democratic transition in Iraq have not completely failed over the last ten years because the democratic culture has spread, even though in a distorted way sometimes.

The main reasons for the failure of the democratic transition are:

 1- The weakness of the democratic culture (awareness)

2- The dominance of the religious portfolio (on Iraqi politics) and the (undue) power of the religious parties.

3- The weakness of politicians and rulers at the initial stages

4- The sectarian division of the Governing Council

5- The dominance of personal interests of politicians and rulers

6-Financial and administrative corruption

Yes, positive signs pointing to the development of democracy in Iraq have started to appear over the past eleven years but they are below our level of ambition.

 As for the future, I expect big blocs to squeeze out the smaller blocs and (social) components in Iraq. I also expect the marginalization of Iraqi and democratic talents. The challenges facing democracy are the brittleness of the constitution and its vagueness which renders it subject to different interpretations. The democratic march doesn't end at a certain end. Democracy continues to believe in developing itself and achieving better results.

Interview 21

Ms Shirouq Al-Abayachi

Ms Shirouq Al-Abayachi is MP for Baghdad for the Civic Democratic Trend List. She has been an activist in human rights and women rights. She is from Baghdad and of mixed sectarian background. The interview was done via email and the answers were received on 1st December 2014 in Arabic and translated by the author.

Answers

There are many cultural and religious impediments which have been accumulating over the long decades of modern Iraqi history without any serious remedies by any social, political or cultural institution. The most important of these impediments is the patriarchal fatherly, tribal male mentality which has been enforced through increasingly failed governmental policies since the beginning of the 1990s.

Also, the collapse of the middle class and the disappearance of its civilised values which were a nurturing environment for the cultural and sectarian diversity. What helped enforce this culture was the spread of illiteracy and ignorance due to the collapse of the educational institution and the spread of poverty and dire need for basics among Iraqis due to wars and dictatorships and later sectarian conflicts. This has been accompanied by the political manipulation of religion and sectarianism in a way that enhanced warlords and militarism instead of civility and openness.

Certainly a religious fatwa in favour of one candidate or against another candidate impedes democracy, even if it was imagined and not true. This is what we have noticed through our practical experience during the elections which were held in Iraq. The religious emotions of people were exploited for the benefit of parties and

sometimes individuals who worked in the interest of their personal, party or sectarian interests without the real enforcement of democratic practices and without serving the interests of the people who elected them. Despite this they were elected once again.

Yes, tribal, sectarian and regional loyalties do impede democracy and these sub-identities have contributed to the loss of the Iraqi national identity. They have also contributed to enforcing submission to the clerics and the clergy in general and to tribal and regional personalities, while real democracy depends on the spirit of citizenship and the horizontal extension of responsibilities according to competence and talents and based on the complete equality between citizens without any consideration of their religious, sectarian and regional backgrounds.

Separation of Religion and State

A secular party is certainly more just than the religious one because secular parties do believe in the principle of citizenship and the separation of religion and state in a way to guarantee the non-exploitation of religious emotions for sectarian and ethnic purposes

The pluralistic nature of Iraqi society requires a secular political system that is based on the separation of religion and state that guarantees the application of the principles of equality and justice between all citizens regardless of their sub-identities and at the same time respecting pluralism and differences without allowing its exploitation for the sake of passing deceptive policies in the name of religion or doctrine.

Yes, wearing religious cloths and using religious discourse help politicians get more votes especially in rural societies where illiteracy, poverty and ignorance are prevalent.

In the post 2003 Iraq, we have seen a lot of practices of religious pretence in order to get to high positions or get additional votes especially through agitating sectarian emotions among the Sunni and Shia. The higher the tone of sectarianism the higher the electoral popularity.

This political and religious hypocrisy has led to complete failure in building state institutions on the basis of the right criteria of propriety and competence, yet it entrenched ignorance and retarded concepts in Iraqi society.

The electorate in Iraq did vote in the last three or four elections on the basis of religious and sectarian loyalties especially in the elections of 2005, less in the elections of 2010, but this trend came back in force in the 2014 elections.

The use of sectarian and religious slogans has helped to bring about incompetent and unqualified officials and this is prevalent in most Iraqi governmental institutions.

Iraq's dependence on oil imports as its basic income has weakened, to a large extent, the democratic transition. People's reliance on the rentier state feeds into their economic dependence on it, something that translates, in turn, into more power for Islamic parties which have used the oil resources to greatly consolidate and extend their influence and power using all means available to them.

The efforts of democratic transition over the last ten years have clearly failed and the reasons are as follows:

1- The American decision to establish democracy in Iraq and the whole area was not serious.

2-The declaration of Iraq as the first front to fight terrorism in order to protect America. This has helped spread of the phenomenon of militarism and weapons and led to the weakness of the law and state control and spread of militias and armed groups outside the control of the state.

3-Turning Iraq into a theatre for regional and international conflicts

4- The failure of building the Iraqi state according to a specific identity

5- The control of the state by Islamic parties who govern on the basis of sectarianism

6- The disappearance of the middle class and the advent of a class of warlords, militarism and corruption.

7- The spread of illiteracy, ignorance and poverty in a big way among Iraqis.

8- The spread of corruption

The Americans could have simply supported civil democratic forces instead of supporting Islamic and tribal forces. They could have protected Iraqi borders instead of opening Iraq as a basic front for fighting terrorism, inviting all terrorists of the world to Iraq in order to fight them.

They shouldn't have put Iraq under occupation, instead of that they should have formed a national transitional government that introduces a transitional programme for three years at least based on the removal of the effects of the Saddam totalitarian regime and preparing the way for real democratic elections under full international supervision.

Social Rapture

They should have achieved the project of Iraqi reconstruction without corruption and disputes between the State Department and the Pentagon. They should have respected the dignity of the Iraqi people before anything else.

I have noticed some positive signs on the development of democracy in Iraq during the last eleven years but they are weak and infirm. I can summarised them in the following:

1-Press freedom in spite of the many excessive practices with some media organisations and the absence of laws to protect the freedom of expression and the right to get information.

2- The existence of some civil society experiment which spread awareness and contributes to enforcing some democratic concepts.

3- The existence of peaceful protests demanding reforms such as the ones that took place in 2011

In the light of rapture in the social fabric of Iraqi society which is based on sectarian and ethnic basis, and the absence of the force of law and security, as well as the absence of real developmental programmes and the absence of a vision for social and institutional reforms, all these have weakened, in a big way, the prospects of an entrenched democratic experiments over the next ten years.

Interview 22

Dr Wahda Al-Jumaili

Dr Wahda Al-Jumaili is currently an advisor to the Speaker of the Iraqi parliament. She was an MP for Baghdad when she was interviewed for this study. She is an expert on legal affairs with a PhD in law. She is of Sunni background and was part of a religious Sunni list led by the Iraqi Islamic Party member and former deputy Prime Minister and Finance Minister, Rafi'a Al-Essawi. *The interview was done via email and answers were received in Arabic on 12th December 2014 and translated by the author.*

Answers

The culture of society and politicians promotes a central system, a ruling party and despotism, also discrimination and classification of people on the basis of 'this is a Shia first class' and this is a Sunni of the degree (Article 4-terrorism)[1221]… (Sectarian discrimination). We have had many experiments in the last ten years in which religious fatwas, artificial and real, have contributed to changing the direction of elections, but the religious authority has lately distanced itself from this subject.

Tribalism No Impediment

I wouldn't call tribalism an impediment, but the nature of Iraqi people is tribal, and when the state is weak, the citizen resorts to any other refuge that can protect him which is the tribe, region or sect. We have not yet seen any secular parties which have a plan to establish a democratic state that can include everyone, except Dr Ayad Allawi perhaps, but he dreams of the premiership only and the evidence is that all the examples he has presented have failed.

[1221] 'Article 4-terrorism' his is the name given to a law in the Iraqi criminal system according to which all those accused of terrorism are prosecuted.

We certainly aspire to building a civil state that believes in human beings before loyalty to religion or sect, but this is premature in a country like Iraq, where religious parties have climbed to power on the back of religious feelings of Iraqis. But we have a hope that civic parties that believe in humanity before anything else will develop.

I believe that wearing religious cloths or using religious discourse has helped politicians get more votes since the beginning of the democratic transition which was in the election of 2005 and 2010, but the rate of benefit from such discourse is decreasing after the exposure of the falsehood of those who claim to be religious. We have many cases where people have claimed to be religious in order to get votes but they were exposed and they were not re-elected. A hypocrite cannot be serious and he will fail sooner or later and the electorate will find out all their hidden cards.

Voting has certainly been conducted on the basis of sectarian loyalty first, then religious loyalty second. The use of religious and sectarian slogans has brought incapable officials to a certain extent, but we started seeing the development of the culture of responsibility which made some people consider before choosing (which party or candidate to vote for).

I believe there is no relation between the democratic process and economic policy, despite failure of the latter due to successive governments' failure to adopt clear economic policies.

It is not possible in a country such as Iraq that democratic transition process can be completed within ten years… We need a longer period than this. In the last elections,

we saw a qualitative improvement in the process of democratic transition and this is due to the awareness and knowledge of society which is the source of authority.

It is difficult for the transition into democracy to be quick in a developing country such as Iraq which is multiracial, multi-sectarian. In spite of this, the British say that what Iraqis have achieved in ten years in the transition to democracy could not have been done by Britain in 50 years.

The Kurdish Challenge

There is some positive development regarding democratization in Iraq, but only slightly, and all this largely depends on the awareness of society and its responsibility towards the country because it is the source of authority.

The challenges to democracy in Iraq are as follows:

1-The security challenge is serious and it has affected democratic transition in a big way.
2- The belief in conspiracy theory and distrusting partners by some politicians.
3-The weakness of political leaders and the influence of foreign diktats on them.
4-The failure to attract talents and elites to the centres of decision-making, to replace the residue that Islamist parties, from both sides, have brought (into the political process).
5- The ambition of the Kurds and their attempts to impose their will on central government and their exploitation of the gap between Sunnis and Shia.
6-The discord, division and weakness of social peace and favouring sub-identities over national identity and this is all due to the failing of politicians who are decision makers.

Maybe in 2022 we will have an established and stable government.

Interview 23

Dr Ibrahim Al-Haidari

Dr Al-Haidari is a distinguished Iraqi sociologist and an accomplished author. His books on sociology have been widely read in the Arab world, most famous among which are: 'Tragedy Karbala' and 'The Patriarchal System' among others. The interview was conducted via email and answers were received on 28ᵗʰ May 2016

Answers

1-What are the social reasons for the faltering of democracy in Iraq and what are the ways to remedy them in your opinion?

Democracy is a culture, values, criteria and civic conduct more than institutions, systems, concepts and procedural mechanisms. It consists of ways of thinking, working and behaviour based on freedom, the independence of the individual and respect for human rights, as well as on good citizenship that regulates the ways of communication, understanding, tolerance and sound rational dialogue. It requires the recognition of the different other and aims at gathering, unifying and merging the components of society (the nation) in a single national unity.

Democracy, as a social system, is based on the principle of equality with no discrimination based on gender, race, religion, language, colour, or social origin. It stipulates the principle of accountability and justice in the distribution of rights and duties which requires the existence of a state that enjoys reverence which enables it to impose the authority of the law on members of society, equally and without discrimination.

Democracy requires a democratic culture that brings about a rupture with the past and the heritage which is based on (accepting) reported traditions as opposed to

reason. Pastist culture is a parental, patriarchal, auditory, oral, non-written culture that stands against democracy at the level of praxis because it is neither liberal nor informed. That's why we see most of the electorates vote on the basis of their religious, sectarian, tribal, partisan affiliations as well as private interests. Moreover, the use of democratic mechanisms to hold elections in an atmosphere where individuals do not enjoy complete social/political awareness, nor enjoys [sic.] self-independence, aborts the democratic process and facilitates the ascendance of non-democrats to power. Their aim is not to change and modernize society, but to get to power and gain wealth, power and influence. This is partially due to the weakness of the state and the spirit of citizenship, the split identity and the non-development of real and effective democratic forces in society. This strengthens the tribal, sectarian and regional spirit and consolidates it at the expense of the homeland, citizenship and democracy.

The truth and the reality is that not practising democracy in a transparent way is not due to the political system alone, nor to its mechanisms, nor to the foreign other alone, but its roots extend to the despotic totalitarian systems, the masculine patriarchal tendency, the traditional undemocratic culture as well as the absence of rupture between religion and the state.

Awareness of democratic culture today might not go beyond some urban educated segments of what has remained of the middle class which has already shrunk. It does not extend to groups and segments of the wider masses, especially those of tribal/peasantry origins, which still do not believe in democracy, or its practices, and still live in a masked Bedouin [culture] and whose loyalty is to the tribe, sect and region, not to the homeland and the state. Democracy is not just ideas, sayings and slogans whose praises we sing. It's a way of life, thinking, work and behaviour as well as a practice of freedom, pluralism and human rights according to the individual's intellectual persuasions.

Democracy cannot grow in a country where there are no democrats and democratic culture!

The truth is we still have not learnt democratic ethics and are not trained to practice it on sound bases and in a way that contributes to our progress. When an opportunity to exercise freedom arises, we quickly exploit this margin of freedom and democracy so that it turns into chaos. The individual only knows the negative side of freedom and that is the excessive audacity in speaking and acting, the taking of the right[s] by force without any regards for the state and the law and without respecting the [rights of the] different other. On the contrary, the other is insulted and exploited, and acts that reflect shallowness of culture and ethics are performed.

First, we must learn about freedom, the individual's independence and a real democratic culture, then we can practice them as values and behaviour in daily social life starting from the family, through civil society establishments which are independent of the state, till we reach the top of the pyramid of power. This is the only way to rid ourselves of backwardness, despotism, violence and terrorism. If democracy is a culture, then it must grow automatically and spontaneously and from within.

2- Do you think that the Iraqis' distrust of the US, the sponsor of the democratic project in Iraq, is one of the reasons of the faltering of democracy in Iraq? Do you think that the US has not done enough to consolidate democracy in Iraq?

Iraqis' trust in America's policy in Iraq has been shaken. It claimed that it had brought with it a democratic project to turn Iraq into a democratic country that will be a beacon of 'democratic' radiation in the Middle East region. Yet, America has tried to implement its democratic project through the theory of 'creative chaos' which constituted a mistake committed by occupation forces in relation to the structure of the political system which has come as a result of an a priori judgment that Iraqi society, which is pluralistic

ethnically, religiously, doctrinally and tribally, is inherently divided and the problem of governance in it cannot be solved without a government based on (sectarian) power-sharing, and specifically from the three main social components, i.e., Shias, Sunnis and Kurds, who should divide power among themselves. This is the same as Biden's project which was met with wide acceptance in the U.S. Senate without consulting the Iraqi people. The aim of the project was the division of Iraq and breaking its geography and society into three weak ethnic and sectarian (Shias, Sunnis, Kurds) entities (regions). The practical implementation of the "theory of creative chaos" in Iraq happened during the rule of (Paul) Bremer (the US civil administrator), and this was based on dismantling the state and its institutions and, at the same time, keeping the liberals, the independent and the technocrats away from governance and not recognizing their role in reconstructing Iraq. This is a deliberate mistake to empty Iraq from the Iraqi intelligentsia which shouldered the burden of modernity and social progress.

Such irresponsible conducts have helped deepen chaos and produced a political and administrative vacuum which resulted in fragile security and the spread of violence, terrorism and social fragmentation, which was a result of the nature of the American policy and the grave mistakes it had committed as well as its failure in restoring balance to Iraqi society and providing an atmosphere conducive for a margin of real freedom and democracy. The primary task in this regard should have been the formation of an effective national government from opposition parties, independents and academics, from inside and outside [the country], not on the basis of sectarian power-sharing, but on the basis of the right person in the right place.

But realities on the ground proved otherwise. Chaos became "uncreative" and it spread to all the countries of the Middle East, especially Arab states. It dismantled and destroyed all that was there and didn't rebuild what it has destroyed. It has produced dangerous political, social, economical and cultural phenomena. These were in fact the natural by-products of this uncreative chaos. If this chaos has produced the so-called Arab Spring, then this (blood-stained) spring has soon turned into a stormy autumn that has not only

shaken the thrones of the dictators that ruled most Arab countries, but also shook most social classes and hierarchies and heralded the creation of sectarian conflicts, paving the way for the forces of political Islam, as happened in Egypt with the ascendance of the Muslim Brothers to power, and propped it up to ascend to power on the shoulders of the real Arab Spring revolutionaries. Soon, the chaos spread from Iraq to Tunisia, Libya, Syria, Egypt, Yemen and the rest of the Arab states. No one knows yet of its dire consequences.

In fact, we can say that the creative chaos brought by the occupation was one of the most important factors which impeded, and even disabled, the national, democratic, pluralistic project which Iraqis were hoping to build, and whose state the US claimed it came to help Iraq rebuild.

3- Do you see any religious impediments to democracy? Do you think that political Islam is an impediment to democracy?

Religion in itself is not an impediment to democracy, but the non-separation between religion and the state and the politicization of religion are. Religion is essentially a faith-based creed that is linked to metaphysics, the forbidden and the sacred. It cannot be subjected to intellectual interpretations or to individual opinions. Either you believe and obey or you don't believe and refuse. Yet, democracy believes in freedom of opinion and leaves to the individual the choice to believe in a creed or not to believe. Political Islam, like other religions, doesn't separate religion from politics because it believes that "governance is the prerogative of God." Therefore, it becomes, in this case, an impediment to democracy. One has to distinguish between the true religion and the different interpretations of it and the way human beings understand religion and exploit it for personal interests.

Historically, democracy has not found a place in our heritage or the traditions of our society except in a very few and rare instances. If there were groups that held or adopted these ideas, they were not able to achieve what they had promised. Also, awareness of democratic culture today might not go beyond some educated urban groups of the remnants of the middle class which has shrunk, especially from the liberals. Groups of the wider Islamic masses, especially those of tribal/rural/Bedouin origins, which still don't believe in democracy nor in its practice, still live in a "masked Bedouin culture" where their loyalty is to the tribe, sect and region, not to the state or the homeland.

We talk about democracy, transparency, freedom of expression and belief, and human rights, and about tolerance, dialogue, mutual understanding and recognition of the other. But we do not really realise what we talk about, and if we realise it, we do not recognise it, and if we recognise it, we only practice it by paying lip service to it, and if we practice it we exploit it for our personal interests.

It is noticeable that some of us demands democracy, and pretends to cling to its concepts and practice, but he doesn't practice it in reality with members of his family and peers and at work and in his social, economic, and political relations. Democracy is not just ideas, sayings and slogans whose praises we sing. It is a way of life, culture, thinking, action, behavior, as well as the practice of freedom, pluralism and respect for human rights according to the individual's intellectual persuasions.

4- Do you think that sectarianism is one of the impediments to democracy to Iraq? If it is, how can sectarianism be tackled from the standpoint of sociology?

Sect is a social-religious component that is based on a certain pattern of religious or sectarian praxis, which acquires a social aspect over time. If sectarianism had a social function and role, these are a function and a role that precede the establishment of

modern state. That is so because the sect has a fanatical tendency that makes the individual present his total or partial loyalty to sectarian values, beliefs and perceptions, rather than other [values, beliefs and perceptions]. Sect is a traditional group that always maintains its belonging, loyalty, values and conventions, avoiding the fusion into the national identity. Belonging and loyalty to a sect always conflict with loyalty to the national identity and constitutes an impediment to practicing democracy which believes in pluralism, difference and respect for the other. The national identity is originally linked to the idea of citizenship, as a legal principle, as much as it is linked to political affiliation and democratic choice.

Sectarianism impedes achieving democracy because it divides the national identity and breaks it up, while democracy unifies sub-identities in one national identity because it is based on the concept of citizenship and respect of the other. Remedying sectarianism can only happen with the abolishment of social, economic and cultural discrimination and differentiation, alleviating economic and political disparity, and respecting sub-identities, treating them on an equal basis and not repressing them. This cannot happen unless a democratic system, which protects and guarantees the rights of all identities and subsumes them in a single national identity, is implemented. In democratic societies, people transcend the bounds of their sub-identities and sub-loyalties in favour of a national identity that gathers all people in a national unity that becomes a starting point for peaceful coexistence among different social components and achieving social integration.

5- Do you think that a secular system that separates religion from politics is more amenable to a democratic system?

The origin of the idea of separation of religion and state is the separation of the church from the state. This separation was in fact born during the period of renaissance, enlightenment and modernity in Europe which saw the separation between the temporal

and the spiritual, i.e., the separation between temporal and religious lives, since every one of them has its own space. The conflict with the church produced a movement toward liberation and emancipation from its authority and clerical ideas which occasioned, for the first time in history, a separation between politics and religion or what is called in Europe as the concept of "secularism." Secularism is derived from the word science or world. It is a liberal concept that refers to separating religion from the state, and civil society from political society, i.e. the state must not exercise any religious authority, and the church, the mosque and the temple must not exercise any political power, as well.

Accordingly, we have two types of states: one secular, the other religious. The modern secular state is the one that is prevalent in the world today. It does not interfere in religious affairs, nor does it allow clerics to interfere in political affairs. It only applies made-made law. The religious state vests authority and power in the hands of God. In other words, governance is the prerogative of God alone, and this is the basic nucleus upon which the Islamist project is based, i.e., the state that applies Sharia law, rather than the man-made law which is devised by human reason, on earth. The separation of state and religion also means not subjecting political and economic activities to the monopoly of any religious authority that is independent of society.

Authority here means, first, the monopoly of a distinct group, which claims to own the absolute truth, of state affairs and its social, economic and political activities. Separation of religion and state doesn't mean separation of religion form society. Secondly, the separation of religion and the state does not mean the separation of religion from society. The separation of religion and the state means that legislation must stem from the independence of the legislature which is based on the constitution. The constitution is a man-made legislation that organizes the secular state that is based on citizenship. This means that all [citizens] are equal before the law irrespective of religion, sect, colour, gender, origin or ethnicity. All people are citizens who are equal before the law in terms

of rights and duties. That's why we can say that the secular system is more amenable to democracy because it is a synonym of it [democracy].

6- What is the reason for the non-spreading of democracy in Islamic countries? Are there religious or social reasons?

The fact that the Arabs remain the least to enjoy freedom and democracy is not only due to the failure of the process of transition to democracy, but also to the confluence of backward social, economic, religious, cultural and political structures that have worked to remove or exclude social forces that are aware of the crisis, and [resulted in its] lack of organization of available opportunities as well as lack of a real and motivating catalyst. Also, the weakness, even shrinking and fragmentation of the middle class, which shoulders the burdens of modernization, social progress and democracy, has contributed to the development of a civilizational reversal that has returned the Islamic states several centuries back.

7- What are the prospects for democracy in Iraq in your opinion after this experience that has been there for 13 years?

The fall of the previous regime, even if it was by occupation forces, has thrown a stone in static. It created a movement and movement is the basis of change. Democracy is a continuous and practical process. It is an infant experience that is still crawling but it is manifested in the following:

-the seeds of a civil society-democratic (civil society organizations) under a weak state and amidst partisan, tribal, sectarian, and regional conflicts and violent political infighting.
-the open society following the fall [of the regime] has contributed to the spread of mass communications and media – newspapers, magazines, mobiles, satellite channels –

although in a random, unorganised and undisciplined way.
-the appearance of many parties and civil society organizations, most of which are ineffective, fossilized, and lack expertise, freedom and independence, in addition to the allocation of 25% of seats in parliament and provincial councils to women, which is a positive   move.
-the entry of various communications and social media, especially the internet, into houses, cafes and universities will open numerous windows for modernity and widen the culture of democracy in the future.

I say, the seeds of democracy in Iraq are bound to grow even if at a very slow pace. It cannot stand and become sound in a few years, because it is a culture, values and behaviour which we must learn, nurture, support and then practice correctly.

Interview 24

Kamran Qaradaghi

Mr Qaradaghi is a veteran Kurdish journalist, writer and former chief of staff of the Iraq presidency in the period 2006-2010 during the term of President Jalal Talabani. Prior to this role, he was editor-in-chief of Radio Free Iraq in Prague. Currently, he writes for London-based Al-Hayat Arabic newspaper. This was an email interview received on 29th July, 2016. Answers were received in Arabic and translated by the researcher.

Answers

1-Do you think the democratic experiment in Iraq has been successful so far? If it hasn't been successful, fully or partially, what are the impediments in your opinion?

KQ: If we regard the holding of relatively free parliamentary elections, and the transfer of power based on the results of the elections, as a criterion for democracy, then the answer must be positive. But, aside from this, it must be said that democracy in Iraq has not been successful. It has failed to establish real constitutional and legal institutions that are required for institutionalizing the democratic system. All the present institutions, including the judiciary, have been politicized and their independence has been compromised and, as such, they have ended up being subjected to the will of the government. Also, the ruling political establishment is unable to differentiate between the two concepts of government and state. This is in addition to the failure to establish the required institutions which has made things worse due to the absence of democratic culture in the first place. Worst of all is the sectarian polarization which has deepened the principle of belonging to the community, whether ethnic or sectarian, before belonging to the state.

2- Do you think Kurdish political parties have contributed to the success of the democratic experiment or was their role impeding? Do you also think that the Kurdish leadership truly believes that it will benefit from a successful democratic experiment in Iraq (which will supposedly keep it a unitary state)? Or it believes it will be harmed by this success?

KQ: In the early stages of the change after 2003, the Kurdish parties presented themselves as having democratic experience since 1991 in Kurdistan that the new Iraq could benefit from. But they soon withdrew unto themselves with the deterioration of the security and political situations, and the subsequent intensification of sectarianism and power-sharing as well as administrative and financial corruption right to the end of the known list of negatives and the political and economic crises that ensued and that still exist between Baghdad and the Kurdish Regional Government, and, in turn, the internal crises within Kurdistan itself. Personally, I believe that had the democratic experiment in Iraq succeeded according to the correct criteria of the democratic concept, its success would not have been harmful to the Kurds or their national aspirations. On the contrary, it would have helped the Kurdish nationalist parties to achieve their national independent state. Under a sound democratic system, presumably, the centre would not insist on Iraq remaining a single centralized state, but would rather be open to negotiations on a peaceful, friendly separation for Kurdistan, should its [Kurdistan's] nationalist parties call for it.

3- Do you think that the Kurds really feel they that belong to the current Iraqi state or their belonging is largely nationalist and they strive to establish their own state? In this regard, have they ever felt they belonged to this state since its creation in 1921? How were their feelings, as a non-Arab ethnicity, when the Iraqi state adopted a pan-Arab ideology during the republican era?

KQ: I believe that one of consequences of the historical circumstances that had led to the establishment of the Iraqi state in the 1920s as a result of the fall of the Ottoman Empire was that the Kurds' feeling of belonging to this state remained weak. This was enhanced by the failure of the Kurdish statehood project in the framework of the Treaty of Sèvres in 1921 (10 August 1920) which was abrogated by the Treaty of Lausanne signed two years later. As far as Iraq is concerned, the armed confrontations between the centre and Kurdistan have not abated, with short intermittent periods of negotiations which led to temporary understanding about limited autonomous rule for the region, until we reached the *Anfal* operations, ethnic cleansing, the use of chemical weapons and mass graves during the seventies and eighties of the last century. These events have deepened the Kurdish feeling of not belonging to the Iraqi state, especially after the declaration of republican Iraq as an integral part of the Arab nation. It's well known that this phrase has been removed from the Iraqi constitution because of the insistence of the Kurds on rejecting it.

4- Is there a circumstance under which the Kurds would feel a sense of belonging to the current Iraqi state? Do you expect that the declaration of a Kurdish state is a foregone conclusion and it's just a matter of time?

KQ: Briefly, I believe that the Kurds in [Kurdistan] Region have made a resolution in this regard. The principle of independence and national state has become entrenched in their soul. The difficult question that remains is how and when circumstances would allow the achievement of this aim.

5- How do the Kurds feel about their division among four countries? Do ordinary Kurds feel they are one coherent nationality? Or are there real differences between the Kurds in Iraq, Turkey, Iran and Syria?

KQ: Kurds in all parts of Kurdistan have one feeling towards belonging to their nationality and regarding Kurdistan as their homeland. But there are differences, although [these differences are] not essential but can resemble shades of one colour. This stems from the geographical nature of Kurdistan, its division and cohabitation for centuries with different peoples. This has left effects on the patterns of behaviour and thinking. There are other similar effects that caused by the differences of dialects, especially the two main dialects: Kermanji and Surani. Some Kurds in Iraq share the same dialect with Kurds in Turkey and Syria, while some others share another dialect with Kurds in Iran.

Interviews on single issues

Interview 25

Dia Ash-Shakarchi

*Mr Shakarchi is an author on Islamic theology and former cleric. He was a leading member of the Islamic Da'awa Party until 2006. He was a member of the Iraqi National Assembly (2005-6) and member of the 'Constitution-drafting Parliamentary Committee'. The interview was on '**the rationale behind Islamists' rejection of democracy'**. It was done via email. His answers were received in Arabic on 15th March 2016 and it was translated by author.*

Answers

Question: What are the reasons behind Islamists' non-acceptance of democracy?

There are several reasons for the non-acceptance of Islamists to democracy and their rejection to include it in their literature in the stage before they had to accept it superficially, as is the case with the forces of Iraqi political Islam prior to 2003, or, in other words, before the stage of them benefitting from democracy, in order to pump as many as they can of the theocratic content in the civic state. The reasons are as follows:

1- Ideological reason: this comes from the mentality of **monotheism**. Democracy means **the rule of the people and this contradicts their belief of 'the rule of God'** which is one of the necessities of monotheism according to verse 44 of chapter 5 (Sourat Alma'ida): (Those who do not rule according to God's revelations are the infidels) according to one of the interpretations of the verse, although the context of the verse indicates that what is meant by 'rule' is not 'government' but the judiciary and trials. In addition, they draw upon the Prophet's experiment, as well as Ali's, and others such as Moses, David and Solomon.

2- Social or ethical reason, according to their religious understanding of ethics. One of the necessities of the democratic system is for the state to guarantee general and private freedoms and respect of the privacy of the individual and non-interference of the state in individual freedoms which do not touch on the public interest or order. That's why some of the Islamists who later became prominent politicians after 2003, insisted that I focus on the political side of democracy in the statement of the 'Iraqi Democratic Islamic Forum' in 2002. Their aim was to **rule out the social aspects of democracy which they fear its 'corruptive consequences' according to their religious understanding of corruption.**

3- Political reason: This is because of their **fear of the competition** of other non-Islamic political forces which may oust them from power through free elections, and also fear of the principle of the (peaceful) transfer of power, or

(the possibility that) they (secular forces) do **not allow them to monopolize power**. Pluralism in the framework of an Islamic state will **confine competition to the parties of political Islam,** excluding secular or 'civil' forces as they have come to be known as, in line with the principle of 'dissimulation' which is not justified in my opinion.

When Islamists were compelled to accept democracy in Iraq for example, they have tried to include criteria by stipulating that laws and the practising of rights and freedoms must not be incompatible with what they called 'the general morals' (of the population) so that they can, when they can, interpret 'general morals' according to their religious understanding, and what they have included in the infamous article two of the Iraqi constitution that 'It is not permitted to enact any law that is incompatible with the constant rulings of Islam'. They rejected to include the phrase 'on which there is consensus' as was the case in the TAL (Transitional Administrative Law).

Interview 26

Miss Maysoon Aldamluji

*This interview is on the **Article 2** of the constitution. It was done by email and answer was received in Arabic on 2nd July 2016 and translated by the author.*

Question:

Do you think that Article 2 (clauses A, B & C) of the constitution was balanced in the sense that no law can be enacted by parliament in line with Clause A that contravenes the principles of democracy, as stipulated in Clause B, or is it actually more useful for Islamists to introduce Sharia laws with no actual deterrence from Clause B since there is a text to refer to regarding Islam while there is no agreed upon text to refer to regarding the principles of democracy? Please find Article 2 with its 2 sections and 3 clauses below as well as the link for the Iraqi constitution:

Article 2: First: Islam is the official religion of the State and is a foundation source of legislation: A. No law may be enacted that contradicts the established provisions of Islam B. No law may be enacted that contradicts the principles of democracy. C. No law may be enacted that contradicts the rights and basic freedoms stipulated in this Constitution. Second: This Constitution guarantees the Islamic identity of the majority of the Iraqi people and guarantees the full religious rights to freedom of religious belief and practice of all individuals such as Christians, Yazidis, and Mandean Sabeans.

http://www.iraqinationality.gov.iq/attach/iraqi_constitution.pdf

Answer

On a number of occasions Islamist parties attempted to impose Islamic rulings, like banning the sale of alcohol or replacing the Personal Status Law with Islamic

jurisdiction (Sharia). Every time they did this, they used clause (A) of article 2 of the constitution as reference. Clause (B) was not a deterrent, as there is no text to refer to. However, it was public resistance that stopped those attempts, backed by the *Marji3iya* in Najaf.

Interview 27

Dr Kadom Shubber

Dr Shubber is the Founder and ex-Editor-in-Chief of the International Journal of Islamic and Middle Eastern Finance & Management. The interview was done via email. The answer was received in English on 5th May 2016. (A detailed bio of Dr Shubber is available within his first interview which is available in this appendix) The interview is on the exclusion of the Ba'ath Party from the political process.

Question:

In retrospect, do you think it was fair or democratic to ban the Ba'ath Party from participation in the political process? Do you think democracy would have been served better with the inclusion of the Ba'ath Party and the political process would have been more successful than now? Also, briefly, if you think the political process has failed, even partially, what are the reasons for the failure in your opinion?

Answer:

•   In principle, no political party should be barred from the democratic process, as such barring will drive them underground and may enhance their status in the eyes of the public. Political ideas and arguments should be fought and invalidated only via rational and opposing ideas and arguments.

•   Anyone with a criminal record (past or current) must be made to answer for their actions under a fair, open and transparent legal system.

• It must be made illegal for any political party (or any other organization for that matter) to employ violence as a means for carrying out their activities. This should be enshrined in the law of the land and made enforceable in practice.

• In the case of Iraq, a Commission for Truth & Re-conciliation is appropriate, whereby those who committed certain misdemeanours (writing malicious reports, intimidating others etc.) could repent. If those adversely affected would forgive them and the authorities see only a limited damage done which can be excused, the culprits might be set free. Finally, I attach here a research paper which I recently prepared, and which has now been published on the Baghdad-based Al-Bayan Centre's website.

Interview 28

Dr Kamal Field

Dr Filed is an *academic and former deputy minister of finance in Iraq.*

The interview was done via email and it's on the exclusion of the Ba'ath Party from the political process. The answer was received in English on 4th May 2016. A detailed bio of Dr Field is available within his first interview which is available in this appendix

Answer

Immediately After 2003, there is justification to exclude the Baath Party (the mass of the party used directly and indirectly to repress the nation and in particular those who belong to other political parties. This should have been reviewed after establishing the new political process in Iraq to give opportunities to all those who have not committed any crimes to engage in normal life. Ideally 2010, practically 2014.
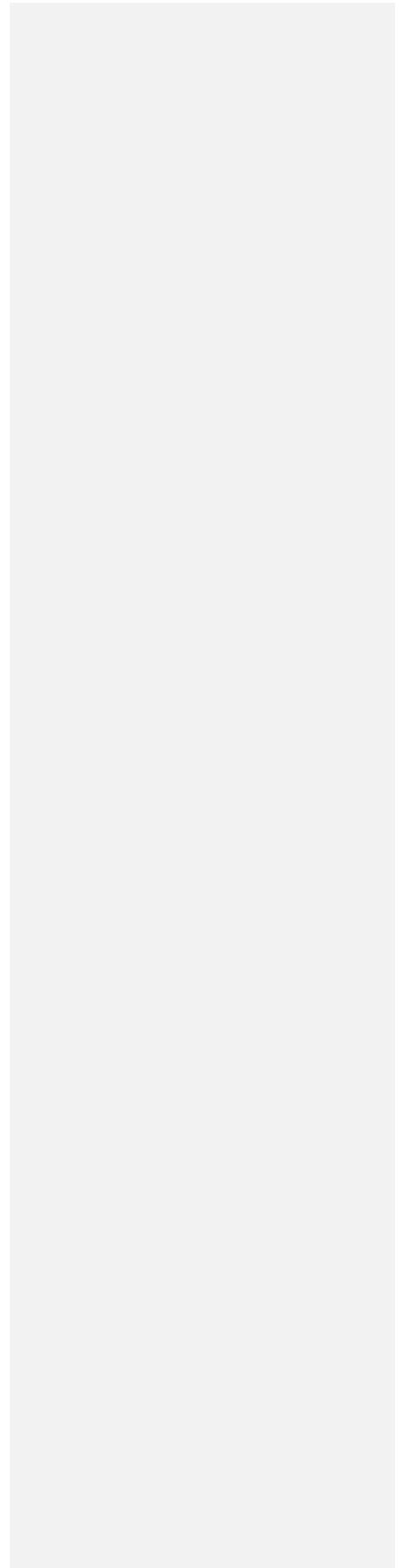
Interview 29

Sami Al-Askari

Mr Al-Askari was an MP until 2014. He was also an executive at the Deba'athification Commission in 2004/5 and deputy Governing Council member in 2003-4. This interview is about the exclusion of the Ba'ath Party from the political process. The answer was received in Arabic on 4th May 2016 and was translated by the author. (A detailed bio of Mr Al-Askari is available within his first interview which is available in this appendix).

Answer

The Ba'ath Party believes in the theory of the 'leading party.' It believes it has a mission in the nation that no one else can achieve. This in their opinion gives them the right to lead society. From a practical standpoint, the Ba'ath practiced, throughout the periods during which it ruled in Iraq and Syria, absolute dictatorship in which it maintained control as well as the monopolization of political action, the media and the leadership of the state's institutions. Even during the periods when political circumstances forced it to allow some parties to participate in politics, this participation was nominal and it compelled those parties to acknowledge the 'leading role' of the Ba'ath Party. The justification given in Iraq was that the Ba'ath Party was the one that led the revolution (military coup) and this gave it the right to lead the country. The other thing is that, throughout all the experiences of the Ba'ath Party, plotting was the approach it employed to get to power. This approach has become a characteristic of the Ba'ath that it practiced against others and between the party's factions. Therefore, allowing the Ba'ath, as a party, to participate in the democratic process poses a threat to it. Besides, the Ba'ath in Iraq bears [the responsibility for] all the catastrophes and wars that had destroyed Iraq as a people and a state. The experience of Germany in its dealing with Nazism, criminalizing it and depriving it of participating in the democratic process is an example that should be followed. No

one casts doubt on the credibility of the democratic experience in Germany and depriving the Nazis from political participation. It never constituted a defect in democracy in that country.

Interview 30

Miss Maysoon Aldamluji

The interview was on the exclusion of the Ba'ath Party from the political process. It was done via email and the answer was received on 8th of May 2016 in Arabic and translated by the author. (Interviewee's detailed bio is available in her earlier interview in this appendix)

Answer

I believe that participation in elections should be on equal footing. I am not talking about the individuals who have abused their powers but about the party (the Ba'ath) that has manipulated all the state's possibilities for its interests. Would there have been a real competition between the Ba'ath Party and other parties? Frankly, I don't think so. According to this criterion, individual Ba'ath Party members who have not committed crimes, should have been allowed to stand in the elections, but not the party as an institution that had monopolized political life in Iraq and manipulated all government and nongovernment institutions for its interests, among which were syndicates, unions, media organizations and the religious establishment. I write this, yet I find a degree of utopia in my opinion, since external interferences made the elections unequal, in addition to the absence of important laws such as parties law which was not passed until a few months ago, and the subjugation of the Electoral Commission to the (political) sharing as well the absence of a clear law for elections.

This was enough justification for excluding the Ba'ath Party in the first and second elections. But today, we need to review matters. Crimes have diversified and they are no longer exclusive to the Baath Party. Ending Deba'athification will bring some stability to the country. Criminals, be they Ba'athists or non-Ba'athists, are certainly not included in this.

Interview 31

Dr Ibrahim Al-Haidari

This interview was done via email and the answer was received on 6/6/2016 in Arabic and translated by the author. It's about the exclusion of the Ba'ath Party from the political process. (Interviewee's detailed bio is available in another interview in this appendix)

Answer

In spite of the fact that banning the Ba'ath Party left the new regime with so many enemies, but it was necessary, because all what has been happening in the past till today, is due to the heavy legacy of Ba'ath Party and its ideology. But this type of banning needs an alternative social and political philosophy and a real national democratic project, not sectarian power-sharing. The German experience of Denazification was right and successful because Germany established a constitutional system that is based on respect for the law and supports the reconstruction of what was destroyed in the war. Germany is an industrially advanced country and has a legacy of good civilization. It has serious people who respect the law, work and time and this is the secret of their progress.

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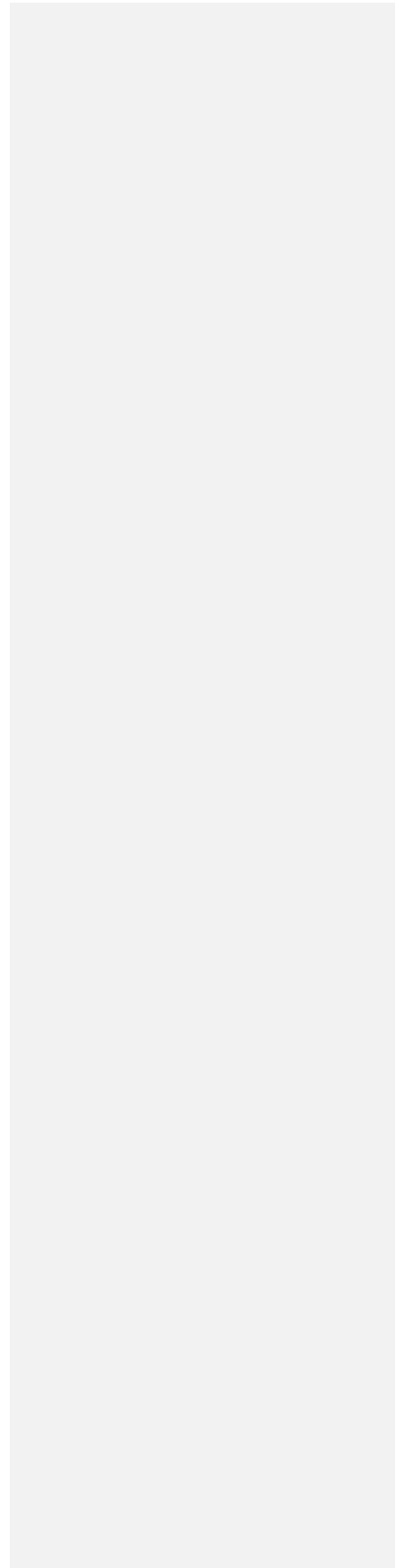
Interview 32

Samir Sumaidaie

This interview is on the exclusion of the Ba'ath Party from the political process. It was done by email and the answer was received in English on 6/6/2016. A detailed bio is available within Mr Sumaidaie's first interview in this appendix.

Answer

1. Is it democratic to bar any political party which advocates the destruction of democracy as an ideology? Such parties exist in the form of Nazi or other totalitarian parties. They declare that if they come to power, they would change the "rules of the game" and would therefore bring an end to democracy as a system of government.

2. Is the Baath party such a party?

_____

Addressing the first question, it is, in my opinion, justified to ban such a party, for the sake of preserving democracy itself. It can of course be argued that if they are open about their purpose, and people elect them, well that is the people's choice, and therefore their coming to power would be "democratic". This is a weak argument. For democracy is desirable specifically because it permits change through a process proscribed by a set of agreed rules. any change according to such rules and under the auspices of established democratic institutions (the Constitution, the legal framework,

Parliament, independent electoral commission, etc) any such change is reversible and allows society in general to adjust the system of government and the process policy making, gradually to the dynamic changes in society. In another word, it is self correcting. If this process is hijacked and made irreversible, this would prevent the system of government from adjusting to the changing needs. It would lose the

essential "self correcting" capacity which could and would lead to serious disasters in decision making. (e.g. Hitler's war, or Saddam's decision to enter Kuwait). It is imperative, therefore, from a utilitarian standpoint, to ban any party which avows the foreclosure of the process of dynamic adjustment of the process of government and therefore imperils society.

In making this judgment, the basis should be declared: The highest value is not the value of absolute unfettered freedom, but rather the highest long-term good for the largest number of people.

Now we come to the Baath Party. Is it such a party? I would say yes. That is because, by their words and deeds, they declare themselves as having the absolute right to lead. It is the "leading party" (الحزب القائد) Its legitimacy is based not on elections but on "revolutionary legitimacy" (الشرعية الثورية), and it is not accountable to any institution. There are no checks and balances. There is no "self correcting" mechanisms. Decisions therefore can be (and were) catastrophic. This was their track record both in Iraq and in Syria. In both cases they were used as vehicles by ruthless absolute dictators.

If the Ba'athists come (as they did) after they were removed from power and say, well, we now believe in democracy and we have undertaken a process of self-criticism, should we believe them and include them in the democratic process? Again no! Because such a party which has become suddenly democratic is a totally different animal. It cannot be the Baath party. The Baath party cannot strip off its entire ideology, history and crimes like a bathing robe and suddenly emerge clean and free from its past.

Having addressed the question with respect to the Baath party (in my opinion), I think the argument in point (1) above applies to Islamist parties. They should be

barred from the democratic process because they aim to use democracy to reach power and then utilize it to destroy democracy. Their ideal model is (one man one vote one time), or as close to it as they can get! I hope I have answered your question. Where is this all leading to?

Interview 33

Hashem Ganem

Mr Ganem is a British-educated Iraqi American engineer and activist. He served in the Iraqi armed forces during the Saddam regime and has been working with US institutions in connection with Iraq. The interview was done over several emails. The answers were received on 4th May-26th June 2016 in English.

Answer

The political dynamics would have been enhanced if the Baath party was invited to contest the first post 2003 elections. All of the ills of Iraq would have been levelled at its doorstep during the electioneering, and rightly so. The party would have not won any seats in the parliament, and if they did, it would've been a miserly number of seats. Don't forget then no one wanted to be associated with them; they would not have cadre to field for the elections.I think allowing the Ba'ath Party to partake in the first elections post 2003, would have shown maturity and inclusiveness, which would have been a stunning political manoeuvre, and a serious step towards:

a) reconciliation - primarily with their audience/constituency (in & outside of Iraq)

b) thwarting their nefarious intentions and activities.

They, then, may or may not have accepted the offer of an open hand (by their victims) to be part of rebuilding Iraq. Either way they would have been be exposed to the Iraqi people and to the rest of the Arab world (which was, and still is, a constituent of theirs).

The consequences of such rejection are clear (need no second guessing)

If the accepted, then they would've had to play by the same rules as the rest.

Personally, I think it would have been inconceivable for them to join the political fray and would had made the same ludicrous demands of return to power, reinstate Saddam, the US to compensate for the war damage and called for Jihad. Then all consequential violence would have been identified so clearly as theirs.

Interview 34

Dr Hussein Al-Hindawi

Dr Hindawi is an author, journalist and poet and was the president of the first electoral commission. Currently, he is an advisor to the President of the Republic of Iraq. The interview was done via email on the exclusion of the Ba'ath Party from the political process and whether that was an impediment to democracy. The answer was received on 26th June, 2016, in Arabic and translated by the author. A detailed bio is available within his first interview which is available in this appendix.

Answer

I would like to stress right from the beginning the necessity to draw a distinction between the past and the future in expressing my view in this case. That's to say the separation between the two concepts of dissolution-Deba'athification which was stated in the first resolution of the US civil administrator, Paul Bremer, (whose implementation was riddled with mistakes, violations, arbitrary decisions, and sometimes self-interested exploitation whether by the Deba'athification Commission, especially under the late Ahmed Alchalabi and the late Ali Allami or sectarian groups and corrupt officials amidst collusive silence form the high judiciary), and the concept of banning the Ba'ath Party (and consequently dissolving it), which is now tabled in parliament as a separate bill to be voted on by parliament as a separate [legislation] from the Accountability and Justice Law. I believe that Deba'athification was a political project, not a law, and herein lies the problem. In other words, the aim should have been to ban the Ba'ath Party since 2004 as a Fascist party opposed to democracy. The implementation of the law should have not led to the criminalization of all Ba'athists, both low- and high-ranking, but to remove its past domination of the country and state institutions (Can it be denied that it did not exist before the American invasion?). The law should have also sent all those Ba'athists who have actually committed criminal acts to face justice, but only according to law and on the basis of judicial procedures alone.

This way, the law would have been transformed into a tool to impose just punishment on real criminals and utilized as a general conduct to 'educate' society in addition to sparing the innocents and those who made mistakes or even the opportunists among Ba'athists from any retaliatory acts or from depriving them of their citizenship rights. In fact they should have been made beneficial to state departments and institutions. It goes without saying that any law in this regard should not have been contrary to Article 7 of the Iraqi constitution which aims to stop the propagation of the Ba'ath Party ideology but not punishing any Ba'athist who was not a criminal.

In other words, I personally am until now for the idea of dissolving the Ba'ath Party because it is in my opinion:

1- A racist part (the ideology of immortal message)

2- A party that believes in coup d'etat (in its declared programme; in fact even (President) Abdulnassir stipulated to Michael Aflak (the founder of the Ba'ath Party) that the Ba'ath Party be dissolved in Syria as a condition for the declaration of unity between Egypt and Syria)

3- It is a fascist party (the massacres of the Qasr Annihaya (the Palace of the End prison), the Anfal campaigns, chemical weapons, the massacres of the 1991 intifada, the mass graves…). There are international legal positions that vindicate this position.

I have a long study published in 1977 in Aswat Magazine and I still have original copies of it, in which I presented these three concepts in a new and expanded way, before (the publication) of the Republic of Fear by Kanan Makiya, and I am surprised that he didn't refer to it in it. My conclusion is literally as follows: 'The Ba'athist ideology in the final analysis holds the traits and characteristics of a Fascist ideology in a country that is industrially backward and where development is weak. It derived most of its basic elements from previous Fascist ideologies and it tries to follow in its footsteps.'

Interestingly, there are those who confirm that Barzan Ibrahim Alhassan, Saddam Hussein's half brother, had asked the latter (Saddam) to dissolve the Ba'ath Party after the invasion of Kuwait because (he believed) it became harmful to Iraq and its people.
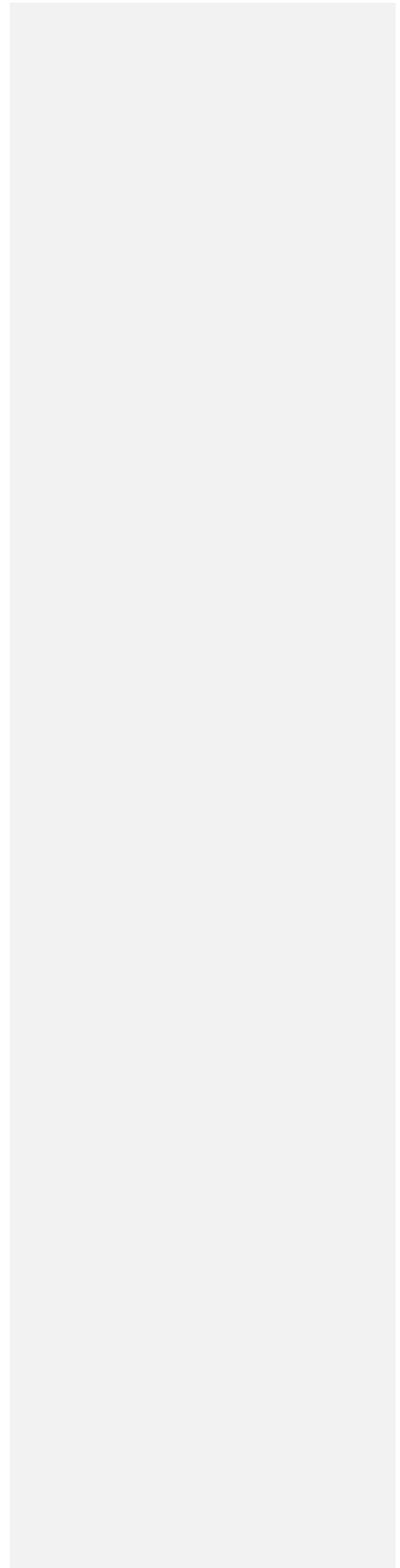
Interview 35

Dr Akeel Abbas

Dr Abbas is an academic, journalist and writer. This interview is on the exclusion of the Ba'ath Party from the political process. It was done via email and the answer was received on 1ˢᵗ of July 2016 in English. (Interviewee's detailed bio is available within his earlier interview in this appendix)

Answer

The policy of excluding the Baath party from participating in the democratic process in Iraq is wrong-headed and counter-productive. First, the Baath Party (BP) has some following among Iraqis who, if BP is barred from politics, will go unrepresented, potentially turning into a disgruntled and angry segment of society. This sends BP to the world of the underground with potential resort to violence, instead of making it go away as the Deba'athification policy makers envisaged.

All of this has the effect of upsetting the democratic process in Iraq as the past 12 years have shown. No political party which disavows violence and pledges to abide by existing laws should be barred from entering politics. The BP should be given the choice of disavowing violence, allowing the judicial system to prosecute its members accused of political crimes in fair trials, and, consequently, allowed to enter politics. If it refuses to disavow violence, respect the law, and obstruct legal prosecution of its accused members, then it should not be allowed to enter politics.

Interview 36

Dr Kanan Makiya

Dr Makiya is a prominent author (his two most famous books are 'The Republic of Fear' & 'Cruelty and Silence'). He is an academic and was one of the leading figures in the Iraqi opposition to Saddam Hussein. The interview was done via email on exclusion of the Ba'ath Party from the political process. The answer was received on 1st July 2016 in English. A detailed bio is available within his first interview which is available in this appendix.

Answer

I think the issue of fairness or democracy does not enter into the question what to do with the Ba'ath party immediately after the fall of Saddam. It is a question of what was the wisest thing for a democratically inclined Iraqi leadership (which as you know I do not think we had) to do after the fall. I believe it was by far wiser NOT to have banned the Ba'ath party after 2003 because of how many people had been members of it and because of the suspicion that would naturally fall upon anyone who had been a member thus encouraging the politics of "settling of accounts," which turned out to be one of our biggest problems after the fall of the regime because all the new leaders engaged in it on a very wide scale.

The principle failure of the political process is that the new leadership--which had never "earned" its right to be leaders by overthrowing the outgoing regime--treated the state as a "ghanima" (booty) and the outgoing regime (and more generally Sunni Iraqis) as "enemies" to be done away with; no one of any weight or importance was thinking of Iraq as a complex country that was desperately in need of a future. They were all small men, of no vision.

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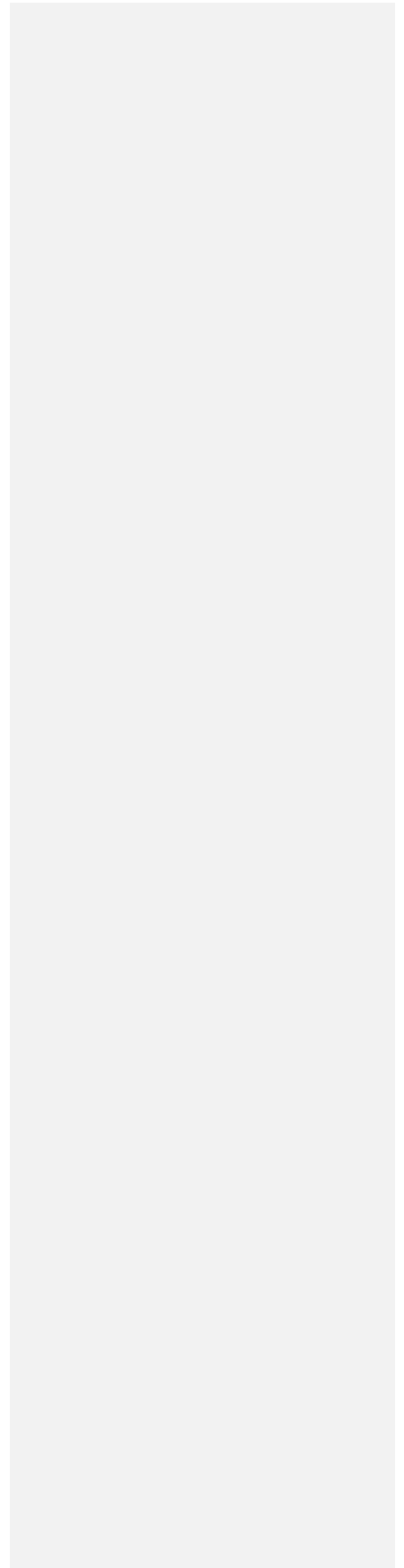
Interview 37

Dr Akeel Abbas

Dr Abbas is an associate professor at the American University of Iraq, writer and journalist. The interview is on Article 2 of the Iraqi constitution and whether it impeded democracy. It was done by email on and the answer received on 2nd of July 2016 in English. A more detailed bio is available within his first interview in this appendix.

Answer

This article is self-contradictory because it tries to reconcile irreconcilable contradictions. Democracy and religion belong to diametrically opposed orders of reality. The former is based on debate and questioning that leads to following the opinion of the majority, while protecting the rights of the minority whereas latter is based on holy texts that accept no debate or questioning and pay no attention to the opinions of the majority or minority.

This article causes conflict instead of establishing balance. It also gives a disproportionate role to the clergy as the interpreters of religious texts, whereas there are no codified, binding democratic ideas or texts that can be resorted to.

Interview 38

Adnan As-Sa'egh

Mr As-Sa'egh is a prominent poet, journalist and writer. Some of his poetry has been translated into other languages. He was the president of the Iraqi Youth Literary Union in the early 1990s. The interview was done by email and the answer was received on 17th July 2016 in Arabic and translated by the author. The interview is on culture and censorship in the 1990s in Iraq.

Answer

Has the fist of the wounded wolf gone quiet? Perhaps yes, perhaps no. How was that?

In the first scene that was seen before our eyes, you can see the iron fist was not as it was, in its organization, firmness and censorship, on many aspects of people's lives, politically, culturally, economically, and in civil society.

Yes, the iron fist of the popular army and the (regular) army was a little less firm due to the consequences of the intifada of 1991 and the engagement of the authority (the wolf) in dressing up its deep wounds, and also due to the blockade (sanctions) on Iraq and the banning of flights and other things. You could see some of the newspapers such as Babil and Az-Zawraa, which were run by Saddam's son, Uday, and other (newspapers and magazines) began to be bold enough to criticise senior officials in the state and its affairs. In the past, it was not allowed to criticise a minister or even a general director sometimes, but these newspapers and the tongues of the people were not at liberty, even through a simple insinuation, to get near the pyramid of power or those close to him, and here I mean Saddam Hussein, his family and the apparatuses that belonged to them such as the Republican Palace, the Republican Guards, Fida'eyyi Saddam (Saddam's Sacrificers) and others.

This is the second scene which is closer to the nature of the wolf- the authority itself. You find that that iron fist had become wilder, more violent and murderous and (more wolfish). Fidaeyyi Saddam militias became prominent and it's the most murderous of all that has happened in Iraq. They treated citizens with contempt.

After the intifada has shaken the ruler's chair, with a strength seen for the first time, it almost toppled it, the 'Leader Necessity' as Saddam used to be called, became more clinging to the chair and more weary and watchful for the most minor of sounds. This was reflected on his conduct in his confrontation with his opponents. The closest to him were his two sons-in-law, Hussein Kamil and his brother, and many of their guards after the incident of their escape with their families (the daughters of the 'Leader Necessity') to Jordan and their announcing their opposition then their return to him in regret after a mediation of King Hussein. The King's mediation didn't matter nor the presence of the two daughters of 'Leader Necessity' and his grandchildren, who were excluded and then killed all those who returned. This was what happened to his two sons-in-law, imagine what could happen to intellectuals and people of thought.

This famous incident is the undeniable verdict regarding turning the whole scene to the other side. If you examine it in details, it will reveal to you a story that is beyond imagination, even that of the magical realities found in the novels of Gabriel Garcia, Marquis and Asturias, especially his novel (Mr President) which used to be circulated in secret in Iraq.

 I would like to report on the murder of Dr Raji At-Tikriti where reality and fiction have mixed as it was circulated in whisper among fearful people, until it reached us while we were sitting at café 'Al-Assima' in Amman at the end of 1993 and it was reported to us by our friend, the academic and play artist, Dr Akeel Mehdi. Dr Raji was lured by the Iraqi ambassador to Jordan, who was a relative of his, to go back to Iraq quickly after he gave a lecture at the Shoman lecture theatre, where he indirectly criticised the ''Leader Necessity''. Yes, it was indirect criticism. When he arrived in Baghdad, the old man was put in ditch and hungry wild dogs were unleashed on him to eat his flesh before the eyes of his family and children. When the actor Akeel

Mahdi reported this catastrophe in his theatrical way and his distinguished voice, I couldn't sleep the night after, until I wrote a poem entitled 'what happened to the doctor' which has been included in my poetry book (Under Strange Sky) which was published in n1994. This poem brought upon me a lot of problems after it spread in Baghdad when I was living with my family in Jordan.

This incident was not unique. Many bitter incidents happened before and after it, among which was the murder of the journalist Dhurgham Hashim because of a (critical) article that he wrote.

This is the testimony that I have written in my book (The Intellectual and Assassination)

My friend the journalist and writer, Dhurgham Hashim, was the editing secretary of the magazine (Hurras Al-Watan- The Guards of the Motherland) at the end of the eighties). I have worked with him as well as with the creative artist Ali Al Mandilawi and Salam Ash-Shammaa and others during my compulsory military service as journalists soldiers) The President of the Arab and Iraqi literary unions, Hameed Saeed, was not able, nor were other literary writers, to stop the anger of the authorities brought upon our poor friend Dhurgham who thought the (declared) openness after the end of the Iran-Iraq war was true, so he wrote an article in response to an article by Abdul Jabbar Muhsin, who was the President's media secretary at the time, using the famous song 'life is spring and the weather was fine, lock all other subjects for me'.[1222] (Instead), they 'locked all his life for him! When one of our brave female journalists (Narmeen Al Mufti) wanted to organise a peaceful demonstration in front of the Journalists Syndicate before his execution calling for his release, someone came to her and threatened her that (if she continued with her planned demonstration) she will be arrested and then shown on TV as accused of prostitution.

[1222] This is a cheerful song by the loved Egyptian singer and actress, Suad Husni. It has become a symbol of happiness and prosperity in life and people evoke it all the time because of its rhyming verses, optimistic outlook and meaningful phrases. It can be found on this link:
https://www.youtube.com/watch?v=ScZ3HGYPc_A

Prominent writer and intellectual, Azeez As-Sayyid Jassim, says 'Hajjaj[1223] was able to sustain his strong rule for over 20 years despite the wide mass rage (against it)'… Jassim concludes that the length of justice on earth is very short in comparison to the length of long-term oppression. The authority is (always) quick in its tendency towards isolation from the masses because it aggregates around itself using what it possesses of wealth and means of power, tasks and business. The authority becomes increasingly isolated when it becomes despotic and class-oriented. This excerpt is from Jassim's book; 'Ali Sultat Al-Haq' or 'Ali', the Authority of Justice', Darul Adab, Beirut, 19881, first edition.

I got the book from the author himself during those years after it was banned in Iraq. The book was the hidden or (perhaps) direct reason for his arrest in 1991, torture, then compulsion to disclaim his book publically through writing an introduction to a new book that carried the same title in which he changed many lines and ideas, together with authoring three other books about the other 'Rightly Guided-guided caliphs- Alkhulafa Ar-Rashidoon)' who are Abu Bakir As-Siddeeq, Omar Bin Al Khattab, Othman Bin Affan and lastly on the (fifth Caliph), Saddam Hussein, (who was called) the 'Giant of the Two Rivers'. He was requested to write the other books while he was in prison and they were printed in a record speed in the printers of the Public Cultural Affairs Publishing House in Baghdad. I remember that during my frequency of the 'Dar Library' (I worked as editor in the 'At-Taleeaa Al-Adabiayya' or (Literary Elite) magazine then 'Nadi Al-Kitab', both of which belonged to the same publishing house) I saw books and (big) volumes carried to his prison in a special car. I also know later through a female employee in the library, with whom I had a good relation, that these books were being taken to him there in line with an order form the presidency of the Republican Palace, so that he could author those books.

[1223] A ruler of Iraq during the Umayyad dynasty rule during the first and second Islamic century. Hjjaj was infamous for his ruthlessness and harsh treatment of the opponents of the Umayyad Empire.

I used to visit his brother Dr Muhsin Al Musawi, who was my manager at the publishing house, and I used to hear from him some short stories in a quiet trembling and fearful voice on the news of Azeez, while the sound of the radio was turned up. He told me later (while we were in Amman after we left Iraq for the last time), that he feared the presence of hidden recorders that might have been planted in his office. After the books were completed and released to the markets, Azeez As-Sayyid Jassim was released from prison. He was pale, receding and sucked-faced, but only to die after a short period of time as a result of what was said to be thallium poison that used to be secretly slipped into his drink as. That's how he was liquidated physically as well as intellectually through the distortion (of his views) through (inserting the title) 'Giant of the Two Rivers' (for Saddam) and other things.

In Beirut in 1996, while I was living in it before my immigration to Sweden, my two friends, Fatima Al Muhsin and Zuhair Al-Jazaeri, asked me to write a testimony for the magazine (Aswat) on what happened to my generation during the eighties and nineties, which I called 'The Other Exile'.

At that time I received a letter from the novelist Muhsin Ar-Ramli who used to live in Spain, in which he told me, in a big agony, about his brother, the novelist Hassan Mutleg, the writer of the novel 'Dabada' who was hanged on 18/7/1990 and his family were not allowed to hold a mourning ceremony for him.

Ar-Ramli said 'my brother lives with me at all moments and places. He is tree of sorrow that is getting bigger within me until it destroys me. I feel (the burden of) responsibility that I live and work for two people not one. He is a live within me, in fact he has more life than me. He was a cultured man, a real human being, a brave, truthful person and a rare legend. His departure was the biggest catastrophe befallen me and the biggest loss to Iraqi culture. I send you with this letter the information I have about him and some other information that you will find at the back of one of the copies with the letter but remember always to avoid what can be harmful to his

family and daughters inside Iraq. The last line of the Ar-Ramli letter can summarise to you the whole scene with all its fear. That's huge fear of the mere prospects of this letter falling in the hands of the wounded wolf.

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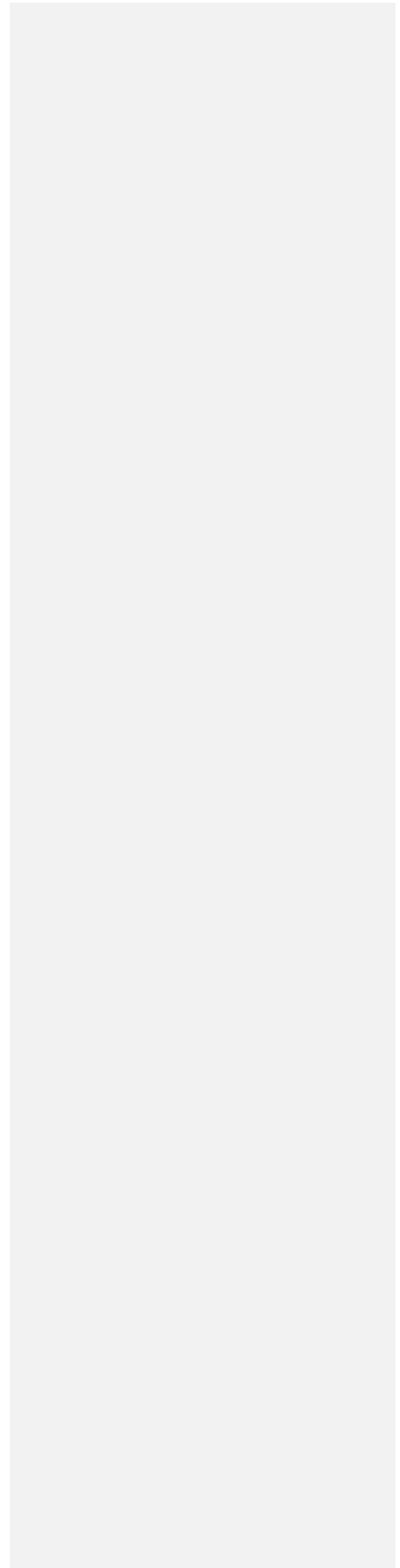
Interview 39

Dr Fareed Ayar

Dr Ayar is the former member of the Independent High Electoral Commission 2004-2008. The interview was on the exclusion of the Ba'ath Party from political participation and whether this has impeded democratization. It was done via email and the answer was received on 17th July 2016 in Arabic and it was translated by the author. A detailed bio is available in his earlier interview in this appendix.

Answer

I do not believe it is fair to exclude the BP from participation in the political process. The infamous Deba'athification law was issued by an American order and from Paul Bremer who didn't know Iraq, its components, problems, and the status of its mosaic society. There are many examples in countries where the regime changed but the previous ruling parties, even the dictatorial ones, were allowed to participate in the political process. There is a shining example in South Africa, and how Nelson Mandela chose the proportional representation system in order to enable the parties representing the white minority, which used to rule according to a pure dictatorial ideology, to participate in the new system [of government]. It is regrettable that there is no Iraqi Mandela who thinks in a prudent, intelligent way and who has a futuristic view in this regard.

The sub-question 'what are the justifications for banning any political party (with the exception of those who committed crimes) from electoral competition' I answer saying that 'there are no justifications for banning any political party as all [parties] have the right to participate in the electoral contest. In Iraq, in spite of the fact that the Transitional Administrative Law (TAL) has not openly mentioned the banning of any political party from the electoral contest and there are no justifications in this

connection, but the Deba'athification law has turned the equation upside down and created many pretexts to exclude Ba'athists until certain ranks from practising the electoral right. Not only that, but it had also stopped the pensions of many retired Ba'athists. This was one of the reasons and justifications for the emergence of so-called terrorist groups. I say here that in Russia, before the fall of the communist system, there were 4 million officially registered members of the [Communist] Party. Were they banned from practicing their electoral rights? Were their livelihoods stopped after the fall of the regime? No, they are practising all their rights and receive their salaries like all the others. That's why no hostile organizations opposed to the new regime emerged. Regarding the question of whether the banning was democratic or undemocratic, I answer that it is an undemocratic measure *par excellence*. This is a proof that the authority that was established after 2003, most of whose members came from secret party organizations where conspiracies and intrigues are wide-spread, cannot digest the presence of an organized party such as the BP to share with it the destiny that it wants to devise for the 'new' Iraq. Events have proven that most of the procedures taken in Iraq on the level of political power, did not respect democratic concepts and approaches.

In answer to the final question: if all political parties and entities had participated in a natural way in the political and electoral process since the first elections which took place on 30th of Jan 2005, Iraq would have been a lot better by now and most of the possibilities would have been made available to sort out most of the problems, which have led and are leading to terrorism, killing, destruction and sectarian conflict which our country is witnessing most regrettably. I reiterate that numerous states had embraced dictatorial systems and they had gone through regime change but did not experience what has happened in Iraq because the problem is not in the type of regime but in the depth of the mentality that is running or implementing it. May God bestow His mercy on Nelson Mandela! How great he was.

Interview 40

Dr Kadom Shubber

The interview is On Article 2 of the constitution. It was done via email and answer was received in English on 18th August 2016. A detailed bio is available in his earlier interview in this appendix.

Answer

As Article 2 stands, it provides the minimum required for the protection of democracy and Islamic values/principles. The Constitution should have gone into more details in expounding the basic liberties that must be guaranteed, or an enactment should have been made by parliament to fulfil this.

As regarding abidance by the basic principles of Islam, the problem here is that various scholars or schools of thought might put different interpretations on Quranic verses and traditions of the Prophet (e.g. those referring to gambling, liquor, marriage, divorce, trade, interest-taking etc).

The Constitution should have made provisions for a competent board or a recognized authority who could adjudicate in cases of disputes over interpretations. Alternatively, a law should have been enacted to deal with this matter.

Interviews on Shia-Iran relations

Questions

1-Do you think the majority of Sunnis in the Arab world generally discriminate against the Shia Arabs?

2- Are the Iraqi Shia justified in turning to Iran for support? Or for feeling that they need Iran to support them in a hostile environment?

3- If Kurdistan chooses independence, and the Iraqi Sunni Arabs follow their route in an independent or autonomous region, do you think what remains of Iraq will be more than ever under the influence of Iran?

Interview 41

Dr Akeel Abbas

Email interview on Shia-Iran relation. Answer received 20 Aug 2016 in English

(Interviewee's bio is available in his earlier interview in this appendix)

1- No, I think the discrimination exists only in Arab societies where Wahhabism dominates as a religious ideology and a way of life. The majority of Arab societies are not Wahabi.

2-No, there is no justification to turn towards Iran. Shia Islamist parties promote this faulty notion. Iraqi Shia should rely on a strong and fair modern state in Iraq, a state they should play a major role in building and upholding.

3-An Iraq without Sunnis and Kurds would most likely be subject to Iranian influence and dictates. Religious and ethnic diversity in Iraq help the country develop more balanced foreign policy and relations.

The whole issue is the assertion of religious identity. Whenever religious identity is asserted, discrimination is likely to emerge. In the 1960s and 1970s, Iraqi Shias did not speak about discrimination against them by other Arabs. But the assertion of identity, Wahabi, fundamentalist or Shia leads to the emergence of discrimination. Historically speaking Iran did not protect Iraqi Shias from discrimination. There is no evidence of this since the establishment of the Iraqi state. The whole narrative is false.

Interview 42

Dr Kadom Shubber

Email interview on the alleged discrimination against the Shia in the Arab world and also Shia-Iran relations. The answers were received on 20th Aug 2016 in English. (Interviewee's bio is available in another interview in this appendix).

1-Do you think the majority of Sunnis in the Arab world generally discriminate against the Shia Arabs?

I THINK THEY DO UNFORTUNATELY. THIS IS HARMFUL TO THEM AS WELL TO IRAQI SHIAS. THIS DISCRIMINATION IS PARTICULARLY OBVIOUS IN THE GULF STATES, THOUGH LESS PRONOUNCED IN THE CASE OF THE ARAB NORTH AFRICAN COUNTRIES.

2- Are the Iraqi Shia justified in turning to Iran for support? or for feeling that they need Iran to support them in a hostile environment?

IN ESSENCE, THE ANSWER IS YES. HOWEVER, IRAQI SHIAS SHOULD ATTEMPT TO ORGANIZE THEMSELVES AND MANAGE THEIR AFFIARS MORE EFFICIENTLY AND PROFESSIONALLY, WHILE ALSO ACCEPTING ASSISTANCE

FROM WHATEVER SOURCE IN THE WORLD. IN OTHER WORDS, THEY SHOULD NOT RELY ON IRAN TOO MUCH.

4- If Kurdistan chooses independence, and the Iraqi Sunni Arabs follow their route in an independent or autonomous region, do you think what remains of Iraq will be more than ever under the influence of Iran?

NO, IRAQI SHIAS HAVE THEIR OWN CULTURE AND VALUES, AND THEY ARE UNLIKELY TO BE SUBMERGED INTO IRAN OR AGREE TO DOMINANCE BY TEHRAN. AGAIN, THEY MUST STAND ON THEIR OWN FEET AND MANAGE THEIR AFFAIRS MORE EFFECTIVELY, WHILE COOPERATING WITH OTHER NATIONS WHEREVER POSSIBLE, SEEKING TO SERVE NATIONAL INTERESTS.

Interview 43

Maysoon Aldamluji

Email interview on the alleged discrimination against the Shia in the Arab world and also on Shia-Iran relations. The answer was received on 20th Aug 2016 in English.

Answers

Question 1-Do you think the majority of Sunnis in the Arab world generally discriminate against the Shia Arabs?

I think that the majority of Sunnis were not concerned with the sectarian conflict before the invasion of Iraq. The rise of political Shiasm in Iraq, followed by the Syrian Arab Spring, caused hostility and discrimination towards Shia Arabs. A good example is Hassan Nasrullah of Hizbullah. He was idolized by the majority

of Sunnis in the Arab world and viewed as an icon of resistance against Israel. Since he openly sided with Bashar Al-Asad of Syria, who transformed from secularism into a Shia leader backed by Iran, Nasrullah no longer commands a popularity that he enjoyed before.

Question 2- Are the Iraqi Shia justified in turning to Iran for support? Or for feeling that they need Iran to support them in a hostile environment?

The majority of Iraqi Shia are proud Arabs who refuse to be subordinated by Iranians or anyone else. However, the indifference of some Arab countries to their cause, compared with the ease in relations with the Iranian leadership has pushed Shia leaders towards Iran. Propaganda through media and religious networks has also helped to solidify the Shia need for Iran. Shia population was lead to feel under threat from ISIS and other Sunni extremist, backed by Sunni Arab governments.

3- If Kurdistan chooses independence, and the Iraqi Sunni Arabs follow their route in an independent or autonomous region, do you think what remains of Iraq will be more than ever under the influence of Iran?

Iraq will always be tough to swallow. Recent protests in southern provinces, with Shia majority, has openly demonstrated hostility towards Iranian interference in Iraq.

Interview 44

Dr Khalil Osman

Dr Osman was a BBC *journalist before he joined UN as a senior political analyst. He was sent to Sudan, Iraq, Kosovo, Afghanistan and now Somalia. He is the author of 'Sectarianism in Iraq: The Making of State and Nation Since 1920'. He holds a PhD*

from the University of Exeter. The interview is about sectarianism in Iraq. It was done via email and the answers were received in English.

There are insights on the relationship between democratization and sectarianism scattered throughout my book, especially in the sections which deal with de-Ba'athification, electoral politics and consociationalism. I hope you were able to pick some of these up. But since my book focuses on the relationship between sectarianism and state- and nation-building in Iraq, then I will try here to list some insights that touch specifically on the relationship between democratization and sectarianism.

There is a two-way relationship between democratization and sectarianism in Iraq. In other words, each has had an influence on the other. For one thing, by redrawing the balance of power between ethnic and sectarian groups making up the Iraqi people, democratization intensified the process of the hardening of ethnic and sectarian identities in post-2003 Iraq, which had been swelling beneath the surface under Ba'ath Party dictatorship, and accelerated the fragmentation of Iraqi society. As such, instead of facilitating the management of social and political conflict in society, democratization undermined the prospects of coexistence among various communities and fomented inter-communal conflict.

On the other hand, it is hard to see how democratization could have thrived under such conditions of extreme social conflict, themselves fueled at least partly by democratization, and where large segments of communities find it difficult to live with each other in the same state. By promoting consociational power-sharing, sectarianism awakened communal fears of marginalization and whipped up communal appetites for larger shares of the power pie. Ethno-sectarian consociationalism in Iraq bred a style of policymaking and decision-making whereby decisions are made not based on a plurality articulating cross-communal interests and demands, as one would expect in a normal functioning democracy, but rather

between sectarian leaders and parties. As the quest for political power turned into an inter-communal zero-sum game, sectarianism helped create a climate conducive for the implementation of blanket or root-and-branch de-Ba'athification, thus making it possible for the use of this lustration and vetting system into an exclusionary mechanism directed primarily, but not exclusively, against the Sunni Arabs. But as effective democracy requires equality of opportunity in the political system and for self-realization, political inequality nurtured by sectarianism undermined democracy.

Sectarian strife in Iraq, which unfolded against the backdrop of escalating insurgency, indirectly contributed to the strengthening of authoritarian governance. Democratic governance in Iraq was undermined when elected governments found themselves increasingly called upon to resort to military means to deal with the mounting insurgency and terrorist attacks. Militarization had a psychological impact. It nurtured the autocratic tendencies of elected governments and senior elected officials, especially in a system where significant powers are concentrated in the office of the Prime Minister, who is also the commander-in-chief of the armed forces. This authoritarian drift on the part of the executive branch of government was compounded by the privatization of violence as a result of protracted communal tensions and strife. The rise of non-state armed groups, most of which claim to provide physical protection to certain communities and to defend their interests, weakened the state and its capacity to promote democratization. It also undermined democracy as a mechanism to manage social conflict and share power by peaceful means and unhampered by threats and intimidation. With the rise of non-state armed groups, bullets took precedence over ballots.

Sectarianism has also had a detrimental effect on the prospects of nurturing a democratic culture in Iraq. Sectarianism in Iraq gave rise to a view of political power as a communal right or entitlement rather than a national trust or patrimony. In such an atmosphere, the state becomes booty to be plundered by sectarian bosses and their cronies rather than an institutional machinery of governance and service delivery. The hardening of sectarian identification promoted non-democratic

expressions and discourses where one's sectarian group is seen as worthy of a larger share of political power and of playing a more central role in determining state policy and the public interest, while the sectarian 'Other' is seen as less deserving of political power, whose vision of the public interest is inferior and who should be relegated to a lesser role in determining state policy. This has been having a serious adverse effect on policymaking. With the lack of strong democratic cultural underpinnings and values, legislation on weighty issues and policies can only be possible after going through a lengthy process of pulling and hauling among political blocs claiming to represent ethnic and sectarian political interests. The outcome has been not only gridlock, but also disappointing. Even when the parliament legislates laws presumably intended to promote democracy, such as the media law and the political parties law, the final drafts that it passes have so many loopholes and ambiguities that one ends up wondering how they can truly further democratization in Iraq.

Second part of the interview received 7/10/2016 regarding a question about Ayad Allawi's assertion that there is no sectarianism if there are many Islamic parties.

There is an important point here: Islamist parties, and even non-Islamist parties very frequently, usually resort to two discourses or a double-discourse. In public, and in their media discourse, they usually resort to declaring their commitment to cross-sectarian, all-encompassing national principles, and claim to be free of sectarian inclinations, but in the discourse which they use with their grassroots they resort to the tactics of outbidding the other political parties, especially those whose political ideology and makeup are inspired and derived from a certain sectarian affiliation, and the very same sectarian affiliation to which it itself belongs. In doing so, they seek to present themselves as being the most devoted to and capable of safeguarding the interests of the sect. From the perspective of open discourse, it is true that we see some development in the discourse of these parties. They have shunned some of the crude sectarian idioms and methods which they used to use

before and adopted a more open discourse. The Islamic Supreme Council of Iraq, the Independent Tribal National Gathering, the Turkmen Justice Party, and other Shi'ite and Sunni parties and trends provide live examples of what I am saying. But in the discourse which they use with their masses, grassroots and components in the course of their attempt to win support in elections, these parties and political entities have usually resorted to a sectarian inflammatory discourse which arouses sectarian sentiments, and even instincts. Ultimately, this prompts me to say that what you relate to me of what has been uttered by Ayad Allawi is an opinion that is at odds with realities on the ground. During the time which I spent in the midst developments unfolding on the ground in Iraq, many field officials of these parties, who are in direct contact with their parties' grassroots, used to state to me during private meetings things that are at odds with the national, all-encompassing discourse of their parties. Similarly, I dealt with the issue of de-Ba'athification in my book and explained, citing evidence, how competition between Shi'ite Islamist parties prompted them to outbid each other at a number of waystations in the development of the de-Ba'athification process. Consequently, this has delayed, and sometimes prevented, the enactment of laws that could have diluted the intensity of using de-Ba'athification as an exclusionary tool.

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Mr Samir Sumaidaie

The interview was conducted via email and answers were given in English and received on 30th August 2016. It's about the alleged discrimination aganst Shia in the Arab world and also on Shia-Iran relation. A detailed bio is available within the interviewee's first interview in this appendix.

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Questions

1-Do you think the majority of Sunnis in the Arab world generally discriminate against the Shia Arabs?

2- Are the Iraqi Shia justified in turning to Iran for support? or for feeling that they need Iran to support them in a hostile environment?

3- If Kurdistan chooses independence, and the Iraqi Sunni Arabs follow their route in an independent or autonomous region, do you think what remains of Iraq will be more than ever under the influence of Iran?

Answers

I think this question is not easy to answer, by me at least:

First, what exactly do you mean by "discriminate", and in what realm?

- In employment?

- In marriage?

- In social interactions?

- In the application of the law (in courts, by police, provision of government services).

- Politically?

- By simply holding a negative opinion of Shiaa's theological beliefs?

- By doing business with them?

- Do Sunnis discriminate all the time or only in certain circumstances (i.e. depending on the context)?

- To the extent discrimination exists, how varied is it (i.e. what is the spectrum across countries and social strata)?

You see, as you drill down you will find that a "yes" or "no" answer would be so inadequate as to be almost meaningless.

Having said all that, a considerable amount of research through polling and other objective methods is needed to clarify the picture and come up with credible answers. Anything I say is necessarily subjective, anecdotal and of limited relevance.

I would have said that the majority of Sunnis in the Arab world (mainly Egypt and Morocco who have the larger populations) until recently did not know much about the Shiaa. Some have a very vague notion of what they are, and some may have been even unaware of their existence, until the advent of Iran and the sectarian low level war in Iraq and Syria. The situation is very different in Lebanon, which is at the other end of the spectrum, because its system of government is based on sectarian identity. Gulf countries are in a category of their own. But, even there Oman and Yemen (which are more populous) stand apart. **Yes, there is some discrimination in Saudi Arabia, and the Emirates, and Bahrain.** But is it driven by theological factors or by political and security factors? Probably the latter.

2- Are the Iraqi Shia justified in turning to Iran for support? or for feeling that they need Iran to support them in a hostile environment?

I would have asked the question differently:

 Are the Iraqi Shia WISE in turning to Iran for support?

Forgetting about Sunna and Shiaa, a theocracy (no matter what religion or sect it adopts) is an idiosyncrasy in the 21st century. It is a backward step. The Shiaa in Iraq, themselves, would be better served to think not in sectarian terms but in the more modern sense of being citizens in a country that needs to solve its problems and catch up with the world. The moment they start to think in sectarian terms (as most of them have already done, encouraged by the Islamists and Iran) they become hostages to the logic of sectarian politics which automatically leads to (المحاصصة) which leads to its twin siblings, namely, corruption and terrorism. And the same logic propels them towards reliance on Iran and to confrontation with other Arab societies. That, tragically, is what actually happened and that is why we (Shiaa and Sunni) are all in the mess we are in. There is no way to get out of it unless sectarian politics is abandoned.

3- If Kurdistan chooses independence, and the Iraqi Sunni Arabs follow their route in an independent or autonomous region, do you think what remains of Iraq will be more than ever under the influence of Iran?

The logic which I described in the previous reply, makes Iranian domination a given. It is the inevitable result of sectarian politics in Iraq. The choice will be between:

A. Iran dominating the whole of Iraq (by keeping a strong grip on Shiaa politics, suppressing the Sunnis, and if possible the Kurds.

Or

B. Letting the Kurds and Sunnis go their own way and just keeping the rump Shiaa area and Baghdad (after "cleansing" the belt around Baghdad and areas in Diyala Province), under their de facto control.

Faced by such a choice, they, of course much prefer "A", because it is a bigger territory and, crucially, it affords them to have contiguous territory with access to Syria and South Lebanon. This clearly is their preferred choice and is what we actually observe in Iranian declared and implicit foreign policy objectives.

Interview 46

Kamran Qaradaghi

Mr Qaradaghi is a veteran Kurdish journalist and writer and of Sunni background. The interview was done by email and the answer was received in English on 3rd September 2016-09-03. A detailed bio is available within his first interview in this aapendix.

Answers

1-**Yes I believe this to be the case**. The minority Shia in the Arab countries are for centuries fearful of oppression and marginalizing by majority Sunni Arabs.

2- Collective security is a major concern of Shia Arabs and for that reason they turn to Iran, which is the major powerful state in the region, for protection. The belief by Shia Arabs that Iran is the best guarantee for their protection against Sunni Arabs have been strengthen and became a reality since the emergence of the Islamic Republic. Some turn to Iran because of sectarian ideological reasons (Wilayat Al-Faqih, etc), others purely for protection.

3- Yes no doubt about that. if that scenario happens the Shia Arabs will feel even more vulnerable and an Iraq without Kurds and Sunnis will automatically fall completely under the influence of Iran.

Interview 47

Mr Habib Al-Shammery

Mr Al-Shammery is a senior member of the Islamic Da'awa Party (IDP) and former senior Iraqi government official. He worked in two ministries, Education and Youth and Sport. He is British-educated and has full understanding of both Islamic and western cultures.

Question: Do all members of Da'awa Party have to be religious? And no one can join the Da'awa Party if he/she is not religious? Answer received via email on 26th September 2016 in English.

Answer

To be religious is not just observing the rules of the religion such as the prayers. This is not a true representation of what a true Muslim is. A true Muslim should have respect for all people and their faiths, have humility, have sincere kindness and love for their fellow man, not be judgmental, cruel, harsh or evil and to communicate both physically and by their actions peace and unity. They should convey all of these actions in their daily lives both privately and publicly. We are after all only human and Allah does not judge us, so who are we to think that we can judge others and create so many problems and distrust within our families and society.

Islam is fundamentally considered to be a belief in being a good person and to portray all of the above attributes in being a kind, non judgmental and honest individual and contribute to their society.

In response to your question
You (have) got to be religious, yes (to be a member of the Da'awa Party).

The interviewee was pressed on the issue with another question and the following response was received in Arabic and translated by the author.

I have mentioned in another letter that a person must be religious before he is accepted in the Da'awa Party. Does this answer your question?

Glossary

Anfal	*Booty*
Athan	call to prayer
Fiqh almaqasid	The jurisprudence of the aims
Ghanima	booty
Hawzah	A Shia religious seminary
Hijra	Migration of the Prophet from Makkah to Madeenah
Jubba	Religious cloth/Islamic garb
Sayyid	A Shia religious title reserved for those who are descendants of the Prophet.
Salafi	Religious trend that advocate the emulation of the first generation of Muslims
Shura	Consultation
Sultan	*Ruler*
Sulta	Power
Takfeer	Ex-communication of others
Taqiyya	Dissimulation (the Shia principle of not revealing your true opinion if you fear persecution).
Taqleed	Emulation: Shia principle of following the teaching of a senior religious scholar
Umma	Nation
Wifaq	*Accord*

Wilayatul Faqeeh   Rule of the Islamic Jurisprudent (The political system currently prevailing in Iran).

Wilayatul umma ala nafsiha The mandate of the nation on its destiny

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Appendix 2

Quotes from public figures published or broadcast in the media

1

Sheikh Jaafar Al-Ibrahimi

Well-known Iraqi preacher said in a sermon held in Samawa (undated) broadcast by the Anwar TV Channel. Youtube link, Al-Anwar TV, undated. Accessed on 4th May 2016.

'Our problem as a country is not ISIS, not Al Qaeda, not the Kurds or the other components. The problem is the so called United Iraqi Alliance (UIA). This is the reality, leave politics and media talk aside. If you review these people in your mind now, they were 'no bodies' (not known). Has any one of you known them before the establishment of the 169 or so called 'The Candle'? No one knew them. I didn't know them.

But I came to Samawa, Khidhir, Warkaa, Majid and other places in order to promote the list of 169 on behalf of the 'marji'aya' (religious authority) and the 'fudhala' (senior clerics). I, and other clerics, representing the religious establishment, have introduced those people (members of 169 list) to the people (of Iraq). We have got them into power. Before the establishment of list 169, no one has heard of them. Najaf has helped them gain power, but when they got into power, they did not respect Najaf. They didn't listen to Najaf's directions. In fact they now fight Najaf and do not miss an opportunity to marginalize Najaf and its role and weaken its voice, just like the Abbasids.'

https://www.youtube.com/watch?v=eDSDc_L8ZF8

Also on published on Facebook:
https://www.facebook.com/588012504550567/videos/1176866175665194/

2

Ayad Jamaluddeen
MP between 2006-2010. On Ba'ath Party participation in the political process. Interview with Shatha Aljuboori published at Alsharq Alawsat newspaper on 14/12/2009. Last accessed on 4th May 2016

Ayad Jamaluddeen called for dialogue with the Baath Party and allowing those Ba'athists 'whose hands have not been stained by the blood of the Iraqi people' to participate in the political process. Jamaluddeen called for 'forcing the Iraqi government to conduct a dialogue with the Ba'athists in order to save the blood of Iraqis'. 'It's a conflict over power between two groups. The one in power now who got there via American tanks and another one that
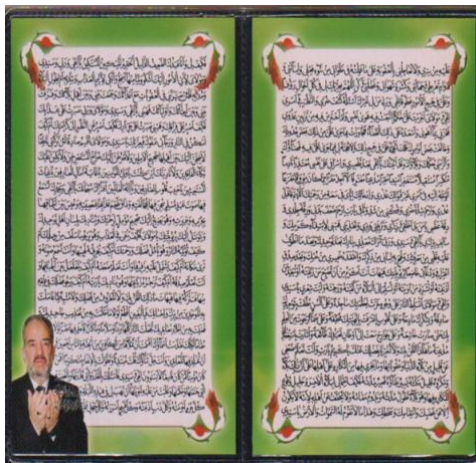
lost power through American tanks' he told Ashark Alawsat newspaper. He said both refuse to reconcile and the victims are the Iraqi people.

http://archive.aawsat.com/details.asp?issueno=10992&article=548458#.VyldDagrK1s

Appendix 3

Use of religious symbols

Prayer book with the photo of PM Ibrahim Al-Jaafari distributed during the election campaign of Dec 2005

Appendix 4

Ayad Allawi's distorted poster distributed by rival Islamist parties during the elections of 2005. The poster likens Allawi to the Ba'ath Party and Saddam Hussein, even though he opposed both since the early seventies.

Appendix 5

UIA Poster with the photo of Ayatullah Sistani

Appendix 6

UIA Election Poster with the photo of Ayatullah Sistani and the list's election number of (555), distributed during the second election of 15th Dec 2005

Appendix 7

UIA Election Poster with the photo of Ayatullah Sistani with their list number (169), distributed during the elections of 30th Jan 2005

Appendix 8

PM Al-Maliki's poster promoting him as the 'Muktar of the Time', likening himself to the ancient Shia hero (Al-Mukhtar) who fought the Sunnis and killed their leaders
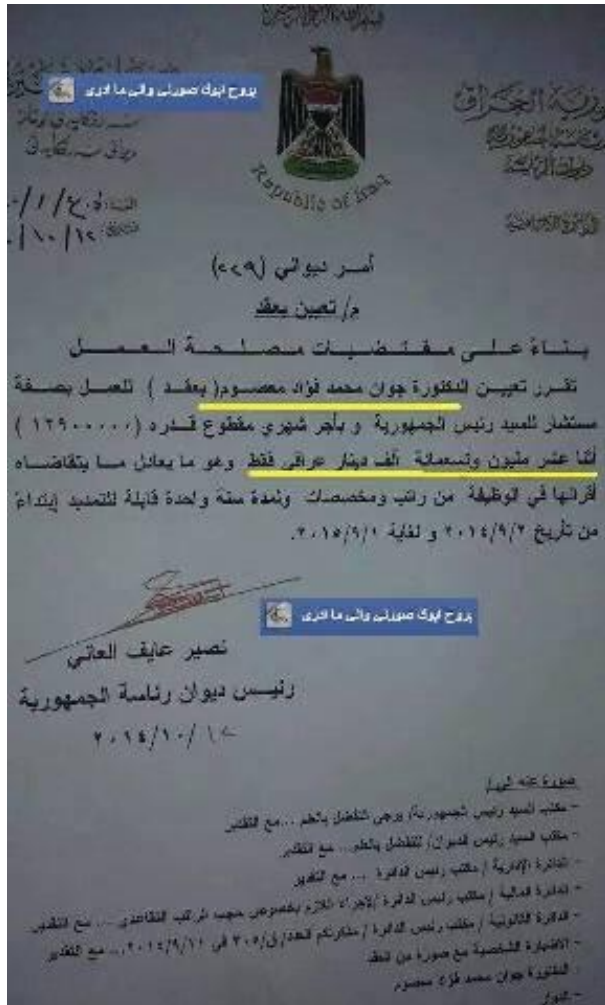
Appendix 9

SIIC leaders, Abdul-Azeez Al-Hakeem, Adil Abdul Mahdi and Hadi Al-Amiri promoting themselves during the Ashoora Shia religious occasion. SIIC is part of UIA Islamic Shia list

Appendix 10

Presidential order to appoint the president's daughter, Jwan Masum, as advisor to her father, President Fuad Masum

Appendix 11

Poster distributed across Iraq during elections showing the photo of Ayatullah's Kadhim Haeri's fatwa declaring it's religiously unlawful to elect secular candidates