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Juan Cole
Professor of Modern Middle Eastern and South Asian History University of Michigan

This brief addresses three areas. First, what mistakes have been made in the Coalition administration of Iraq, and why? Second, what is the current situation? Third, what steps can be taken to ensure the emergence of a stable and democratic Iraq?

Mistakes

The biggest US failure in Iraq to date lay in American inability to understand the workings of Iraqi society. Many US administrators and military commanders appeared to believe that once the Baathist state of Saddam Hussein was overthrown, they would be dealing with an Iraqi society that was docile, grateful and virtually a blank slate on which US goals could be imprinted.

In fact, Baathist Iraq was a pressure-cooker, consisting of a highly mobilized, urban and relatively literate population that had organized clandestinely to oppose the weak and ramshackle Baath state. Although the clan-based political parties and militias of the Kurds in the north were well known because they had emerged as autonomous under the US no-fly zone, similar phenomena in the Sunni Arab center and the Shiite south were obscured by the information black-out of Baath party censorship. In al-Anbar Province, lying on the road between Amman and Baghdad, local populations came under the influence of Salafi or Sunni fundamentalist movements and ideas that were also growing popular in Jordan. In the late Saddam period, the secular Baathist state allowed more manifestations of Sunni religiosity than it had earlier, allowing these groups to establish beachheads in Fallujah, Ramadi and elsewhere.

Many books and articles were published in Arabic in the 1990s, that should have made clear that the Shiite south in particular was a lively arena of contention between the Baath military and the religious parties and their militias, some with bases in Iran to which they could withdraw. Shiite guerrillas in the south, springing from the clandestine al-Da`wa Party, Iraqi Hizbullah, Sadrists, or Supreme Council for Islamic Revolution in Iraq, conducted bombings, raids, assassinations and other acts of defiance against the Baath, often sheltering in the swamps of the south or retreating, if pursued, to Iranian territory. The followers of Muhammad Sadiq al-Sadr (d. 1999) in particular were militantly anti-Baath, anti-American and anti-Israel, and aspired to an Islamic state in Iraq on the Iranian model. Given the US role in calling for, and then allowing the crushing of, the Shiite uprising of spring, 1991, after the Gulf War, the idea that Shiite Iraqis would be "grateful" to the United States and now willing to forgive altogether that earlier betrayal, was fanciful. Moreover, US officials appeared to be ignorant of the

important role of Iran in Iraqi Shiite politics, a role that goes back to 1501, and kept talking about the need of Iran to avoid "interfering" in Iraq (which is rather like telling the Vatican to stop interfering in Ireland). In addition to dissident groups, figures existed within Iraqi society like Grand Ayatollah Ali Sistani, who have enormous moral authority, about which American administrators were ignorant or skeptical into winter, 2004, to their peril.

These covert political parties and clandestine guerrilla groups were curbed by the Baath secret police and by the Fidayee Saddam. What the Americans did in March and April of 2003 was to remove that apparatus of repression, and allow the religious parties and militias freely to organize, canvass for new members, and spread their ideas and structures freely throughout the country. The Salafi Sunnis and the various Shiite religious parties had a vision of post-Baath Iraq, for which they had been planning for over a decade, that differed starkly from United States goals in Iraq. But because the US was unable to assemble in post-war Iraq anything like the 500,000 troops it had had in the first Gulf War, it and its Coalition allies often were forced actively to depend on the good will and even the security-providing abilities of the religious militias in the post-war period.

Although the US did wisely choose to attempt to incorporate some grass-roots Iraqi political organizations into the Interim Provisional Government, it excluded others. Thus, the London branch of the Shiite al-Dawa Party was given a seat, but the Tehran branch was not (both groups had come back to Iraq after the fall of Saddam, linking back up with local party members who had remained and organized covertly). The Supreme Council for Islamic Revolution in Iraq, which had a Badr Corps militia of perhaps 15,000 trained men, was given a seat, but the Sadrist organization was not. The Islamic Party of Iraq, a Muslim Brotherhood-derived party from Mosul, was given a seat, but the Salafis of al-Anbar Province were excluded. Of course, some of the excluded groups were hostile to the US occupation, and might have refused to serve, but it is likely that some representative of those tendencies could have been found who would serve.

Worse, the US gave special perquisites and extra power to a handful of expatriate politicians with whom it had cut backroom deals. These expatriate politicians had often been involved in scandals, had no grassroots inside the country, and were widely disliked. Many Iraqis feared that the US would shoehorn these expatriates into power as a sort of new soft dictatorship, and that they would betray Iraqi national interests in preference to personal and American ones for years to come.

One strategy that might have forestalled a lot of opposition would have been to hold early municipal elections. Such free and fair elections were actually scheduled in cities like Najaf by local US military authorities in spring of 2003, but Paul Bremer stepped in to cancel them. A raft of newly elected mayors who subsequently gained experience in domestic politics might have thrown up new leaders in Iraq who could then move to the national stage. This development appears to have been deliberately forestalled by Mr. Bremer, in favor of a kind of cronyism that aimed at putting a pre-selected group of politicians in power. In Najaf, the US appointed a Sunni Baathist

officer as mayor over this devotedly Shiite city. He had turned on Saddam only at the last moment. Since Sunni Baathists had massacred the people of Najaf, he was extremely unpopular. He took the children of Najaf notables hostage for ransom and engaged in other corrupt practices. Eventually even the US authorities had to remove him from power and try him. But the first impression the US made on the holy city of Najaf, and therefore on the high Shiite clerics such as Grand Ayatollah Ali Sistani, was very bad.

The United States made a key strategic error in declining to post enough US troops to Iraq in the post-war period to establish good security. A country the size of Iraq probably required 400,000 to 500,000 troops to keep it orderly in the wake of the collapse of the state. The US compounded that error by dissolving the Iraqi army altogether, which deprived the US of informed potential allies in restoring security, created enormous discontent among the 400,000 men fired, and provided a recruitment pool to religious militias seeking to expand. The US also failed to send in enough experienced, Arabic-speaking civil administrators at the Coalition Provisional Authority. The CPA, with only a thousand employees for much of the post-war period, most of whom could not speak the local language and did not understand local customs, much reduced its own effectiveness by remaining relatively insular and cut off from Iraqi society. The lack of security ensuing from the thinness of the military force on the ground increased the danger to CPA employees and reinforced this insularity. There has been no transparency in US decision-making in Iraq, so that we do not, and the Iraqi people do not know why these steps, so injurious to the common good, were taken.

The security situation in post-Baath Iraq has not been good in much of the country, though the Shiite south was for a long time somewhat quieter than the center-north. The problem area encompassed Baghdad, Samarra, Baqubah (and Diyalah province more generally), Mosul, Kirkuk, and al-Anbar Province (Fallujah, Ramadi, Habbaniyah). Nevertheless, guerrillas did mount significant attacks occasionally in the south, as with the huge August 29 truck bombing at Najaf, and in the far north, as with the bombing at Irbil in January. These bombings targeted highly charged political and religious symbols and greatly undermined Iraqi confidence in the ability of the US to provide security. Coalition troops routinely came under fire in the South, though not nearly with as much frequency as in the center-north. The US official and press tendency to speak of the problems as having concerned a relatively small portion of the country, mistakenly termed the "Sunni triangle," obscured the scope and seriousness of a security collapse that encompassed perhaps half of the geographical area of Iraq and affected a good third of its population on an ongoing basis and at least half at some point.

Even in the quieter areas, they were quiet for all the wrong reasons. In the north, the Kurdish peshmerga or paramilitary fighters provided much of what urban security there was, and they had come to dominate the police in multi-ethnic, oil-rich Kirkuk. These paramilitary fighters constituted a law unto themselves and Kurdish leaders vowed that Federal Iraqi troops would never again set foot on Kurdish soil. In the Shiite south, Coalition forces were spread exceedingly thin and were staffed by inexperienced troops from countries like Bulgaria and the Ukraine, who had no local knowledge and who had apparently been assured that they would not be involved in warfare but rather in

peacekeeping. Local townspeople tended to turn to Shiite militiamen to police neighborhoods, according to press reports, in places like Samawah, and even in large urban neighborhoods in East Baghdad and Basra.

Although hundreds of millions of dollars have been spent on reconstruction, and there have been some genuine successes, as with the restoration of electricity, the poor security situation has detracted from those successes in the minds of most Iraqis. Moreover, the successes have been partial and often unsatisfactory. Hospitals are open, but often strapped for cash and lacking in equipment, medicine and personnel. Electricity provision before the war was highly inadequate, so returning to pre-war levels does not solve the problem. The preference for American and British contractors has often cut Iraqi businesses out of the lucrative contracts, except at lower bid levels, which in turn has prevented the US from making a big dent in massive unemployment rates. The massive unemployment in turn has contributed to poor security, in a vicious circle.

The Current Problems

The US administration of Iraq has suffered from lack of consistency, from infighting among major bureaucratic organizations such as the Department of Defense and the State Department, and from an apparent desire strongly to shape Iraqi society in certain directions, which has the effect of contravening international law on military occupations, specifically the Hague Regulations of 1907 and the Geneva Conventions of 1949. One example is the determination to impose on the Iraqi economy the kind of shock therapy or very rapid liberalization tried in Russia, with disastrous results. It is one thing for a sovereign Iraqi government to ask for help in liberalizing the economy, it is another for an American civil administrator to take such a decision by fiat. American announcements on economic policy have often been opposed by local Iraqi merchants and entrepreneurs, by the Iraqi-American Chamber of Commerce, and even by the American-appointed Interim Governing Council itself.

The US has gone through four major plans for Iraqi governance and it is unclear as of this writing to whom sovereignty will be handed on June 30. Jay Garner, the first civil administrator, planned to hold a national congress in July, 2003, and then to hand over Iraq to the resulting government by October of that year. He was replaced by Paul Bremer, who initially planned to run Iraq himself by fiat for two or three years. He was unable to do so, and then appointed an Interim Governing Council which, however, suffered problems of legitimacy insofar as it was a committee of a foreign occupying power. On November 15 Mr. Bremer made a 180 degree turn and announced council-based elections for spring of 2004 and a turn-over of sovereignty to the resulting government. Those elections were deemed undemocratic by Grand Ayatollah Ali Sistani, and were not held, leaving Bremer with a turn-over date but not a government to turn over to. Most Iraqis, who have yet to experience anything like democracy in the post-Baath period, are confused and suspicious at these high-handed and frankly somewhat dictatorial proceedings.

The US has faced serious opposition from Iraqi paramilitaries in al-Anbar province and elsewhere, and has sometimes even clashed with the Kurdish Peshmerga. In late March and early April, it came into severe conflict with Sunni tribesmen in Fallujah and with the Army of the Mahdi, a Shiite militia in East Baghdad and the southern Shiite cities, led by Muqtada al-Sadr. Both conflicts were initially mishandled. The US military responded to the killing of four American civilian security guards, and the desecration of their bodies, by surrounding, besieging, and bombarding the entire town of Fallujah. While it was a hotbed of guerrilla activity, the entire town was not implicated in that activity. Many observers, including the former president of the Interim Governing Council Adnan Pachachi, and United Nations special envoy Lakhdar Brahimi, have accused the US military of engaging in collective punishment of Fallujans and of failing to take due account of the need to avoid civilian casualties.

While Fallujah was poorly handled from a political point of view, the crisis grew out of an attack on US citizens. In contrast, the decision to go after Muqtada al-Sadr was wholly elective. His movement had been militant since the days of Saddam, and it is true that he was organizing a militia. But he had repeatedly instructed his people to avoid clashing with US troops, and seems mainly to have been organizing for the future. Measures could have been taken to forbid his militiamen from training or appearing in uniform in public. But by attempting to arrest his key aides, the Coalition Provisional Authority telegraphed to him its determination to arrest and imprison him. Muqtada had seen his father killed after similar warnings from Saddam, and reacted by launching an insurgency throughout the south, making the point that he would not go quietly.

The CPA grossly underestimated the organizational capacity of his movement. It was able to expel Iraqi police from their stations in many places in the south, and in some instances Iraqi police and military either declined to fight the Army of the Mahdi or even switched sides and joined it. The US military gave up on trying to maintain a presence in East Baghdad. Ukrainian troops were chased off their base at Kut, and Nasiriyah fell to the Sadrists, as did Kufa, Najaf, and parts of Karbala. While the US and its allies were able to contain and then roll back this insurrection, it demonstrated that the Coalition did not really control Iraq, and was only there on the sufferance of powerful social forces that could effectively challenge it when they so chose.

What Needs to be Done

In order to defuse the violence, the US military needs to adopt a much more narrow and targeted approach to dealing with guerrillas, and stop "using a sledgehammer to crack a walnut" (in the words of a British officer in Basra). US troops have repeatedly used disproportionate force to reply to guerrilla attacks, and in the process have created new guerrillas by harming innocent civilians. The tactics used at Fallujah have been seen by most Iraqis, and indeed, by many Coalition partners and Interim Governing Council members, as an outrage and a direct flaunting of the Geneva Conventions governing military occupations. Even the ordinary search and find missions conducted in al-Anbar province and elsewhere have often involved male troops invading the private homes of

Iraqis, going into the womens' quarters, and visiting humiliation on tribesmen for whom protecting their women is the basis of their honor. Unless these operations are yielding consistently excellent intelligence and results, they should be curtailed.

The Coalition Provisional Authority must cease attempting to "take out" dissident leaders like Muqtada al-Sadr before the hand-over of sovereignty. It was precisely the attempt to cut Muhammad Aidid out of the political process in Somalia that caused the Mogadishu disaster. The US will simply have to accept that there are political forces on the ground in Iraq that it views as undesirable. It cannot dictate Iraqi politics to Iraqis without becoming a frankly colonial power. If it does become a mere colonist in Iraq, it will be mired in the country for decades and be forced to spend hundreds of billions of dollars and thousands of servicemen's lives on the endeavor. Rather, it must draw those less savory political forces in Iraq into parliamentary politics so that they can learn to rework their goals and conflicts in the terms of democratic procedure. Groups like the Sadrists cannot hope to dominate parliament, and so must learn to trade horses to get part of what they want.

The main problem for the United States in Iraq is a lack of popular legitimacy. Neither the Coalition Provisional Authority nor the Interim Governing Council has much popular support, with a few exceptions. Neither grew out of any Iraqi democratic process, and neither was formed with significant involvement of the United Nations Security Council, which even

Grand Ayatollah Ali Sistani has said he respects. In a recent poll, about half of Iraqis felt that the US invasion had been a humiliation, and the other half felt it had been a liberation. Even those who felt liberated, however, are impatient for a government they can call their own.

The US must now move with all due deliberation to holding free and fair, one-person, one-vote elections in Iraq. Only such a process holds any hope of deflecting faction-fighting into more a more peaceful reworking of political conflict into parliamentary processes. The elections should be held even if the security situation remains poor. Indian and other elections in the global south are often attended by public disturbances and even loss of life, but they nevertheless produce legitimate governments.

The recently-released Brahimi plan should be adopted, as President Bush has indicated. It calls for the dissolution of the Interim Governing Council on June 30, for the temporary appointment, under United Nations and Coalition auspices, of a handful of high government officials (a president, two vice presidents and a prime minister) who would form a limited, caretaker government to oversee the transition to elections this winter. It also provides for the election of a broad advisory council that would represent a broader range of Iraqi actors than did the old Interim Governing Council. For the legitimacy of the new government, it is absolutely essential that the United Nations Security Council be deeply involved in its formation and in authorizing it. Indeed, the very presence of US troops and other Coalition troops in Iraq beyond June 30 must be authorized by a new United Nations Security Council resolution if their mission is to remain legal in the bounds of international law.

In the interim, militias should be curbed at the local level and where possible integrated into the Iraqi military. Emphasis should not be placed on attacking the top leaders of the militias, but on dealing with the phenomenon. The pace of the formation of the new military, and the amount of money spent on it, must increase rapidly. This approach would reduce unemployment, reduce the recruitment pool for militias, and provide forces that could help with at least local security.

The giving of reconstruction bids has been structured so that all small bids of \$50,000 or less automatically go to Iraqi firms. This ceiling should be raised, to ensure that more Iraqis are involved in reconstruction and more local jobs created. Shipping the money back to the US by employing mainly American firms will not greatly benefit Iraq or address the deep unemployment problems there.

As it is phased out, the Coalition Provisional Authority must reach out to all sections of the Iraqi public to reassure them that they will not be crushed by a new tyranny of the majority, or looted by a handful of cronies of America. The Sadrists in East Baghdad, Kufa and elsewhere must be convinced that they can best exercise their influence by becoming ward bosses and electing their delegates to parliament. Attempting to exclude the Sadrists will only ensure that they remain violent. They should be encouraged to do what the Shiite Amal Party did in Lebanon, trading in its militias for a prominent role in the Lebanese parliament. The Sunni Arabs of Anbar province must likewise be convinced that they can form alliances in parliament that protect them and achieve their goals.

It was a mistake to configure the new Iraqi parliament so that it had only one chamber. In Shiite-majority Iraq, this way of proceeding ensures that Shiites will dominate the legislature. A way should be found to create an upper house, and to so gerrymander the provinces that it over-represents the Sunni minority. This two-house parliament could then serve as a check on any tyranny of the Shiite majority. Such a check is preferable to giving the Kurds a veto over the new constitution to be written in 2005, since giving a minority a veto seems unfair, whereas insisting that the constitution pass the upper house of parliament with a two-thirds majority is unexceptionable.