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IRAQ AFTER THE ELECTIONS: TOWARDS A BI-NATIONAL STATE?

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The elections of December 2005 are the crown jewel in American-led efforts to redesign the state of Iraq. Following the post-invasion dismantling of existing state structures, including the Ba'th Party, the army and other security organs, and after the October 2005 constitutional referendum, these elections were intended to provide a strong democratic foundation for the new Iraq. But their success is by no means assured, and many challenges remain.

The American vision of a democratic, unitary Iraq is remarkably similar to the British vision for the country in the early past of the last century, but it has been pursued at a different pace and by different means. The British needed four years (1914-1918) to conquer the country and five more years to design its political and geographical map and set up democratic ruling institutions – a constitution, a parliament, a referendum, and elections. The Americans managed all this in only three years, but they took on another and more complicated task – to destroy, not only the foundations built by the Ba'th over 35 years, but also the political map designed by the British, i.e., the anomaly of rule by the Sunni minority that had a vested interest in preventing any process of democratization that would give expression to the true population balance in the country and permit a fairer

distribution of its resources.

The recent elections reflect this upheaval and the new political map, whose main characteristics are unprecedented pluralism (about 300 parties contested the 275 seats in parliament) and a more accurate representation of the main population groups. Thus, the Shiite lists won a plurality – 128 seats – but not the two-thirds majority needed to form a government. The united Kurdish list took second place, with 53 seats, and the leading Sunni list came in third with 44 seats. 25 other seats went to the joint Shiite-Sunni list led by Ayyad Allawi, and the rest were divided among nine smaller parties. This outcome could facilitate stabilization and democratization if it is widely accepted, but that is far from certain.

In the first place, the Sunnis remain highly suspicious of the new political order. In contrast to their boycott of the January 2005 election for the interim parliament, the Sunnis this time did participate in the hope of ending their political marginality and amending the new constitution that establishes the federal order so resented by them. But they have rejected and appealed the results, and based on claims of electoral fraud they are demanding that the Shiites cede ten seats in their favor. Even if this problem is resolved, there remains the problem of Sunni participation

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in whatever government is formed. Above all, the Sunnis remain committed to what others see as a double game, participating in the political process while simultaneously continuing their violent resistance to the new political order.

But the Sunnis are not the only obstacle to stabilization and democratization in Iraq. Although the election procedures conformed to those of established democratic states, the content of the campaign was altogether different. Rather than elaborating a platform that appealed to the entire electorate, the parties operated as unabashed ethnic or confessional factions. And voting very much took place along similar lines. As a result, the election could lead to further fragmentation rather than to national integration. Moreover, the elections legitimized political Islam, which got its greatest boost since the elimination of Ba'th rule, and this may well further intensify inter-confessional tension and conflict.

Finally, there are external elements that complicate the picture even more. The most prominent of these is al-Qaeda, which has turned Iraq into its main base for terror and will go to any lengths to undermine processes of stabilization and democratization in order to preserve its new-found sanctuary. A second factor is the United States. The Americans cannot be accused of consciously sabotaging their own program, but their inconsistent policies have nevertheless strengthened internal tensions and inter-factional rivalries. Finally, neighboring states continue to play a role. Each, in its own way and for its own reasons, may try to promote one Iraqi faction at the expense of the others, thereby further undermining prospects for stability.

The elections, the constitution, and other post-invasion political actions reflect a long-term process, stretching out over a decade, of the transformation of Iraq into a bi-national state. Of course, it is the Kurds who pull most strongly in

that direction, though without ever formally acknowledging their intent. The Kurds, along with everyone else, continue to pay lip service to the idea of all-Iraqi patriotism and unity. But in practice, all the facts established on the ground point to the entrenchment of a separate Kurdish national identity and orientation. In the absence of a strong central authority and a national army able to use force in order to derail this development, the Kurds persist in the two-track policy they have pursued since the American invasion: strengthening their autonomy while simultaneously strengthening their standing at the center. That policy gives them flexibility, room for maneuver, and the ability to exploit their new standing in national politics in order to consolidate their emerging entity in the north. As a result, even if the Sunnis are able to enlist the majority needed to rescind the provision in the constitution calling for a federal structure – which seems rather doubtful – the Kurds can still carry out a unilateral “disengagement” of their own from the center. Needless to say, that prospect is anathema in the eyes of the Sunnis and the rest of the Arab world, which since the 1960s has been warning against the danger of a “second Israel” in northern Iraq. It is almost certain that the struggle over this issue will be decided, not by votes in parliament, but rather by the establishment of facts on the ground, i.e., by practical measures of Kurdish nation- and state-building parallel to those going on in the rest of Iraq.

The conclusion is that while the recent elections are undoubtedly an important step in efforts to institutionalize Iraqi democracy, the deeper processes of liberalization, construction of civil society and national reconciliation, so essential to sustainable democracy over the long term, have so far failed to make much headway.

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