

**Transition to Democracy in Iraq?
Averting the Slide into Civil War**

By Larry Diamond

Presentation to the Hoover Institution/Woodrow Wilson International Center
Session on Democracy in the Middle East, April 6, 2004

I had hoped to share with you this morning an upbeat and hopeful assessment of the effort to foster a transition to democracy in Iraq. But anyone who has been watching or reading the news must know that things are slipping badly fast. Usually, the mass media exaggerates the negatives and suppresses the positives. I believe quite strongly that we have not heard nearly enough about the good work that our mission there—the Coalition Provisional Authority—has been doing to rebuild the country and its infrastructure and support democratic institutions, organizations, and values. But unfortunately the bad news is indeed quite bad.

I do not mainly have in mind here the uprising in Fallujah, the murder of four American security contractors last week, and the grotesque, sacrireligious abuse of their bodies. This has all been shocking and horrific. But this is a limited uprising from a minority section of the country. It does not threaten the overall viability of the political transition program in Iraq.

The Shi'ite uprising that began a few days ago is another story however. Many scholars and historians of Iraq have long warned that an uprising among the Shi'a population would spell doom for the Coalition, and for any hope of a peaceful transition to anything resembling democracy. No doubt this is true. But we are not yet facing a generalized Shi'ite resistance. Rather, we are locked in a confrontation with a ruthless young thug, leading a fascist political movement that is using religion in a twisted way to achieve its own crude ambitions for power.

Let me begin by giving you the facts, and then I will return in conclusion to my analysis, and my plea for a more assertive course, which is the only path that can save us from disaster in Iraq.

For the past year, we have been engaged in a difficult effort, against great odds, to rebuild Iraq and foster a transition to democracy in that benighted country. It has been a very turbulent road, littered with mistakes on our own part and obstacles thrown up by Iraq's authoritarian neighbors, who are panicked at the thought of having an emerging Arab democracy (or for Iran, a predominantly Shi'ite democracy) on their own border. But we have nevertheless seen some inspiring progress.

A variety of civil society organizations and think tanks are emerging and finding their legs, none more impressively than the plethora of women's organizations that have sprouted up and coalesced into the Iraqi Higher Women's Council. Last month, the Iraqi Governing Council adopted an interim constitution, called the Transitional Administrative Law, which will structure and limit government in Iraq from the transfer of authority to an Iraqi government on June 30 until the seating of a new elected government under a permanent constitution, by the end of 2005. Around the country, local and provincial councils have been formed with varying degrees of popular involvement and support. In many cases these have involved broad participation and consultation (and in a few, even direct elections) that have produced local governments with far more legitimacy than anything that preceded them. Back again in civil society, a vigorous campaign is getting underway to educate Iraqis about basic democratic principles, and to draw them into dialogue with one another about these ideas and values, and about the future of their country.

There are serious problems with the interim constitution. Iraqis complain that there was too little popular involvement and debate in the process, and the document gives far too many veto rights to the Kurds and other minorities. They worry—quite mistakenly—that it will allow the US to conclude a binding treaty with an unelected

government. Some wish that the Law was more exclusively rooted in Islam. But still, with all of the problems and controversies, the transitional law is a step forward for Iraq, and gives it the most progressive and liberal basic governance document of any country in the Arab world.

Now, discussions and preparations are underway to bring the political promise and timetable of this Law into fruition. As a result of negotiations conducted by UN representative Lakhdar Brahimi in February, a compromise agreement was reached providing for direct election of a transitional parliament by the end of this year or January of next year. Now, Ambassador Brahimi is back to negotiate a framework for the Iraqi Interim Government that will assume power on June 30, until an elected transitional government takes power early next year. At the same time, a separate UN team led by its chief elections expert, Carina Perelli, is in Iraq to consult on and help to define the structure for an independent electoral commission that will administer elections in the country, and on the crucial question of how to structure the electoral system that will select members of the transitional parliament.

In short, the political transition is moving forward—with controversies, obstacles, suspicions and conflicts to be sure, but on the whole, it has been moving forward.

However—and this is a very large however—it has been sailing into a very stormy sea of violence and intimidation. Again, my deepest concern is not with the pockets of Sunni resistance, or even with the efforts of al-Qaeda terrorists to wreak human and physical destruction and panic. These are grave enough, but unless al-Qaeda can provoke the Shi'a to open rebellion against the Coalition, these two campaigns are unlikely to sabotage the overall transition.

My biggest concern about intimidation and violence concerns the Shi'ite heartland of Iraq. Over the past year, a growing array of armed private militias—

loyal to political parties and religious militants, riven by factional divides, driven by personal power ambitions, and lavishly armed, funded, and encouraged by various power factions in Iran—have been casting a long shadow over the political process in Iraq. While we have been focusing on building civil society, educating for democracy, writing a basic law, and negotiating the future structure and timetable of transitional government, the militias have been building up their weaponry and recruiting fighters. The total number of these militia fighters in many provinces well exceeds the combined strength of the new Iraqi armed forces.

In some cases, Islamic fundamentalist parties and actors have been playing a clever double game. While their political leaders sit on the Iraqi Governing Council, reach laudable compromises with their Kurdish and Sunni fellow members, and tell their American interlocutors the things we want to hear, their armies have been stocking heavy arms, intimidating opponents, and preparing for the coming war in Iraq. This war will not fundamentally be a war against American occupation or international domination, though now that it has broken out prematurely, that is how its first phase is being framed and justified. It is a war for something more primal: the conquest of power. And it is not a war in which Robert's Rules of Order, or a Code of Conduct for Political Parties, will be observed.

Some of us in the CPA who have seen this threat gather in recent months have become alarmed. We have warned that unless the political party, movement, and pseudo-religious militias are demobilized and disarmed—through negotiation, ideally, but through force where necessary—a transition to democracy in Iraq will become impossible. Rather, at every step of the way, from parties canvassing for supporters to the registration of voters to the election campaign to the casting and counting of votes, the democratic process will be desecrated by strong-arm methods, intimidation, and fraud, and the quest for a free and fair political process will drown in a sea of blood.

Fortunately, key officials within the CPA have come to similar conclusions, and have themselves quietly seized upon the issue of party militias as a priority. Over the last three months, a plan has quietly been prepared and negotiated for the comprehensive disarmament, demobilization, and reintegration of all the major militias. Using the lessons of other negotiated programs, this plan, which is to be announced publicly within the next few weeks, will offer members of the various militias generous financial incentives to lay down their private arms, disband, and be integrated either into one of the new Iraqi armed forces, such as the Army, Civil Defense Corps, or Police, or into one or another sector of the civilian economy, with training if necessary to prepare them accordingly.

Experienced experts have been developing and negotiating this disarmament plan with key national and local militia leaders. They believe they are making significant progress. But in this kind of effort, it is really pretty much all or nothing. No party militia will disband if it believes it will risk collective suicide in doing so. Party militias may have (and I strongly suspect most of them do have) an offensive intent: to ensure that they can seize by force and fraud what they cannot be confident of winning fairly at the ballot box. But they also have a defensive intent: to prevent or preempt such fraud by their enemies, to protect the lives of their leaders, candidates, and campaigners, and to maintain order in areas they control. Unless its rivals are demobilized at the same time it is, no serious militia will sincerely cooperate.

This brings us to the events of the last week, to the person of Muqtada Sadr, and to the biggest, most ruthless militia that stands indefatigably outside any process of negotiation and voluntary disarmament. A fiery thirty-year old Mullah, whose father and brothers were martyred in the Shi'ite resistance to Saddam, Muqtada has nothing of the Islamic learning and sophistication that would put him anywhere close to the religious stature and authority of an Ayatollah. But he knows how to organize, mobilize, and intimidate. He is a brilliant street fighter, bully, and thug, who has used

the reputation of his father among the poor urban masses, and the language of historic resistance to external impositions, to mobilize a growing following among downtrodden young urban men in particular. His support is confined to a small minority among the Shi'a of Iraq, but it is the kind of minority, demographically, that makes revolutions and seizes power, and its devotion to his declarations and obedience to his commands is apparently intense.

In recent months, Sadr's militia—the al-Mahdi Army—and his loose political movement that surrounds it have been growing alarmingly in size, muscle, and daring. They have seized public buildings, beaten up university professors and deans, taken over classrooms and departments, forced women to wear the hijab, set up illegal sharia courts, imposed their own brutal penalties, and generally made themselves a law unto themselves. As with the Nazis or any other totalitarian movement, all of this street action and thuggery is meant to intimidate and cow opponents, to create the sense of an unstoppable force, and to strike absolute fear into the hearts of people who would be so naïve as to think they could shape public policy and power relations by peaceful, democratic means.

As with the Nazis, Muqtada has been guilty of brazen crimes well before his effort to seize power openly. A year ago, Sadr's organization stabbed to death a leading moderate Shi'ite cleric, Ayatollah Abdel-Majdid al-Khoei, who would have been a force for peaceful democratic change and a dangerous rival to Sadr. The murder took place in the Imam Ali mosque, Shi'ite Islam's holiest shrine. That is the level of respect that Sadr manifests for his own religion. Just three weeks ago, on the night of March 12, apparently in alliance with fighters from other Shi'ite militias and with the local Diwaniyya police force, the Mahdi Army invaded the Gypsy town of Qawliyya after a dispute over what Sadr's forces alleged were morals violations by the town. After pumping round upon round of automatic rifle fire, mortars, and RPGs into Qawliyya, the Mahdi Army brought in bulldozers and literally leveled a town of some thousand people. We still do not know how many people died in this blatant act

of ethnic cleansing (as the towns folk had been warned in advance of the impending doom, and many if not most were able to flee). But at the very least, Iraq now has hundreds of internally displaced people from this incident of terror, and eighteen refugees apprehended by Sadr's forces endured ten days of brutal beatings in the organization's detention center. By the logic of Muqtada Sadr, this is the kind of "rule of law" Iraq needs.

In recent weeks, Sadr's propaganda, both in his oral statements and through his weekly newspaper, the Hawza, have become increasingly incendiary, propagating the most outrageous and explosive lies (for example, that the US was responsible for recent deadly bombings) deliberately designed to provoke popular violence. Finally, on March 28, after months of costly delay, the Coalition finally began to move against this monster. Ambassador L. Paul Bremer ordered the closure of the newspaper, and Muqtada Sadr reacted by ordering his followers to rise up violently against the Coalition. Perhaps in response, the Coalition finally ordered the arrest a few days ago of a senior Sadr aide, Mustafa al-Yacoubi, and 24 others for the murder of al-Khoei. It is believed that the Coalition had been sitting for months on sealed arrest warrants, wary of acting for fear of provoking precisely the kind of violent backlash that has now occurred—but at a moment when Sadr is far stronger than he was before. Yacoubi and 12 others were arrested on April 4, but the other 12 suspects—among whom should be Sadr himself—are still at large.

Sadr responded to these arrests by unleashing what can only be described as the beginning of a revolutionary campaign to seize power. Having already seized numerous public building in recent months, his followers took over the offices of the Governor of Basra and assaulted police stations in several cities, including Karbala' with its sacred Shi'ite religious shrines to the Imam Abbas and the Imam Husayn. In Najaf his followers invaded Shia Islam's holiest center, the Shrine of the Imam Ali. These attempted power grabs are not new. Last October, Coalition forces intercepted 30 busloads of a thousand heavily armed Sadr followers as they were headed down from Baghdad to Karbala' to seize control of its shrines and the central city.

On Monday, the Administrator of the Coalition Provisional Authority in Baghdad, L. Paul Bremer III, declared Muqtada Sadr an “outlaw.” Now there is no turning back. If any kind of decent, democratic, and peaceful political order is to be possible in Iraq, the Coalition will need to arrest Muqtada Sadr, crush his attempt to seize power by force, and dismantle his Mahdi army.

This will only be the beginning of a campaign to control privatized violence and construct a rule of law in Iraq. As I said earlier, the CPA is now negotiating with a variety of militias tied to Iraq’s political parties a comprehensive plan for disarmament, demobilization, and reintegration of their fighters. Reintegration has its own hazards; command posts in the army and police cannot be given to agents who will remain loyal mainly to a political party or private cause. Neither can intelligence be compromised by placing senior party or militia loyalists in sensitive positions. Disarmament will need to be carefully monitored and checked against the common tendency in many post-conflict situations to cheat and deceive, hiding large arms caches as a hedge against a dangerous future. As in many other aspects of Iraq’s transition, the assistance of the United Nations would be valuable in advising, monitoring, and giving credibility to this process.

Negotiated demobilization of the principal militias can only work if the Mahdi Army is forcibly disarmed, for that will both eliminate one of their most dangerous rivals and send an indispensable message about the will of the Coalition. But many additional forceful measures will be needed. These must include vastly enhanced security on Iraq’s borders with Iran, Syria, and Saudi Arabia, and blunt messages to the Iranian and Syrian regimes. The Iranian Mullahs must understand that we will not stand by and watch them brazenly subvert the quest for democracy in Iraq. They must know that two can play this game. They face a mounting resistance to oppression in their own country, and we can do much more to assist it, in direct proportion to the irresponsibility of their actions in Iraq and with regard to nuclear proliferation. And the same goes for Syria, through which—Iraqi democrats are convinced—al Qaeda terrorists are passing freely into Iraq, with the assistance of Syrian intelligence.

At best, we are in for a rough few weeks and months ahead in Iraq. Tragically, there are going to be many more Iraqi, American, and other Coalition casualties. Al-Qaeda will probably attempt another spectacular act of terrorism as Shi'ite pilgrims now flood into the holy cities of Najaf and Karbala' for the religious holiday of al-Arbain. As the violence increases, more and more critics will be uttering the words "Vietnam" and "quagmire." But this is not Vietnam—most Iraqis are disgusted with the violence and clearly want the chance to freely elect their own government.

There is only one way out of dilemma we confront, and it is not via retreat or "holding the line" at an untenable status quo. Instead, it is to move forward assertively, to commit all the troops and resources it will take to defeat the religious Bolsheviks and common thugs, to build up the security elements of the new Iraqi state, and to give Iraqis a chance to speak, advocate, campaign, and vote free of fear and intimidation. Such renewed military resolve must be combined with a political strategy to produce a significantly more inclusive and representative Interim Government than the 25-member Governing Council with whom we have worked since mid-last year. Only if we have a political strategy to draw in Ayatollah Sistani and the wavering bulk of the Shi'ite population can we prevail in this campaign. Fortunately, UN representative Lakhdar Brahimi is in Iraq now with a first-rate team to consult widely in order to identify a means to produce just such a government.

President Bush is right to insist that the rising tide of violence will not shake our resolve, or alter our plan to transfer authority to an Iraqi Interim Government on June 30. Any delay in that transfer would only further inflame the situation and feed suspicions that we are bent on permanent dominion in Iraq. But the Bush Administration has not leveled with itself or the American people about the resources that will be needed to achieve any kind of victory in Iraq. Our mission in Iraq has been under-resourced from the start. We do not have enough troops there. We do not have enough secure transport, including helicopters. And we do not have enough armored cars, trained security personnel, and high-quality body armor to protect the many brave civilians—career diplomats, aid workers, and term consultants—who

have been risking their lives for this cause.

In the next few months, we could lose the new war for Iraq if we do not project the necessary resolve, combined with the right political strategy to generate a more inclusive and legitimate government. Victory will take much longer to achieve, and will never be hailed by a unanimously grateful Iraq. But if we can defang and contain the militias, while building up the new Iraqi instruments of a rule of law, a small miracle could yet unfold by January: reasonably free and fair elections for a transitional government (which will also write a new permanent constitution). Then, what now appears a downward spiral into civil war could well be averted, and this long-suffering country could be placed on a rocky but realizable path to democracy.