

How Much Power Will the New Iraqi Government Really Have?

By Stephen Zunes | January 28, 2005

There has been much attention given in the run-up to this Sunday's elections in Iraq regarding how the lack of security in much of the country, combined with the decision by major Sunni Arab parties to boycott in protest of recent U.S. attacks on several major urban areas, could thereby skew the results and compromise the resulting government's credibility. Related concerns include the prospect of this election and the government that emerges exacerbating the divisions between Shiite Arabs, Sunni Arabs, and Kurds.

Perhaps an even bigger question is what kind of power this new government will actually have.

While some Iraqis are cautiously optimistic that the election of a national assembly could bring about real improvements to their lives, they could find themselves very disappointed.

It would not be the first time. Indeed, most Iraqis appear to have initially been willing to give the transitional government established this past June a chance, just as they were in the early days of the Iraqi Governing Council (IGC), the advisory body appointed by U.S. occupation authorities soon after the March 2003 U.S. invasion. In both cases, however, it soon became apparent that neither of these bodies had much real power. Furthermore, both were dominated by recently-returned exiles who seemed to be more concerned with their personal ambitions than the best interests of the nation.

To declare simply that American forces in Iraq are no longer an occupation army but are there at the request of a sovereign Iraqi government has not been enough to assuage most Iraqis. The majority of Afghans in the 1980s and South Vietnamese in the 1960s never saw the regimes in Kabul and Saigon as legitimate. These unpopular dictatorships came to power and maintained their control only as result of superpower intervention. The foreign forces directed from Moscow and Washington were seen by the

majority of the subjected populations as occupation armies and, even with enormous advantages in firepower, were eventually forced out. In addition, despite continued infusions of large-scale military assistance to these regimes, both were overthrown within just a few years of their patrons' departures.

Similarly, despite last June's formal handover to a transitional government, American forces and the dwindling number of Coalition allies are still seen by the vast majority of Iraqis as occupiers. Polls show that a sizeable majority of Iraqis want U.S. forces out. The ongoing American military presence, and particularly recent U.S. offensives in Fallujah and elsewhere, has been provoking insurgents and terrorists faster than they can be killed. In order to be seen as having any real legitimacy in the longer term, whatever Iraqi government comes to power following Sunday's election will need to assert its independence from U.S. control.

It also remains to be seen as to whether the United States will allow the new government—likely to be dominated by Shiite parties with a strong Islamist and nationalist agenda—to assert their authority. Will the United States really defend freedom and democratic rule in Iraq if it results in a government that pursues policies seen to be contrary to American strategic and economic interests? Or—like Saddam's non-existent weapons of mass destruction and the absence of any operational, financial, or logistical



links to al-Qaida—will “the establishment of democracy in Iraq” prove to be yet another deception of the American public in order to justify the U.S. takeover of that oil-rich nation?

The “Transitional Government”

The decision this past June by U.S. occupation authorities to formally transfer power to Iraqis two days early likely stemmed from security concerns, wanting to deny terrorists an opportunity for a dramatic strike. In many respects, however, it was emblematic of how little real change the handover meant in actuality. In any case, a small, short, hurried, and unannounced ceremony was hardly an auspicious beginning of Iraqi self-rule.

(The transition ceremony was eerily reminiscent of the 1985 inauguration ceremony of Philippine dictator Ferdinand Marcos following his fraudulent re-election, which took place inside his residence at a point when he had essentially lost control of virtually the entire country beyond the palace walls. As White House spokesperson Larry Speakes, when asked by reporters about the ceremony, replied, “I understand it’s going to be a low-key affair.”)

Originally, the June “transfer” was planned to be a grand public event, with parades and speeches, highlighted by President Bush—already in neighboring Turkey at the conclusion of the NATO summit—coming down to join the festivities to formally hand over power. Instead, President Bush was informed of the handover in a hand-written note from his National Security Advisor Condoleezza Rice, to which the president scribbled his now famous response, “Let freedom reign!,” an oxymoron which in many ways represents the contradictions inherent in any effort to

forcefully impose a liberal democratic system through conquest and subjugation.

The establishment of the new government following Sunday’s election will be taking place in an even more dire security situation.

The transitional Iraqi government has not had the power to overturn many of the edicts of the former American viceroy Paul Bremer and his Iraqi appointees in the IGC, and was therefore unable to chart an independent course. Even in cases where the transitional government technically could have overturned U.S.-imposed laws, it required a consensus of the president, prime minister, vice premiers and other government officials, so—not surprisingly—virtually all these laws have remained in effect.

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These include such important decisions as the privatization of public enterprises, the allowance for 100% repatriation of profits by foreign corporations, a flat tax of 15%, the right of foreigners to own up to 100% of Iraqi companies, and other neoliberal economic measures. While there is little question that

at least some liberalization of the economy, after years of state control under Saddam’s dictatorship, is necessary for the country’s economic health, Iraqis resent such important economic issues being decided by an occupying power which clearly has a strong vested economic interest in their country.

Nor has the transitional government had the power to prosecute any Americans for crimes committed while in Iraq, no matter how serious. Iraqis have found such legal extraterritoriality, a practice once common in colonial outposts of the nineteenth and early twentieth century, particularly degrading.

The transitional government has also been unable to exercise much authority when it comes to security, since U.S. forces have been able to operate throughout the country at will, and the “sovereign” Iraqi government has had no right to limit their activities. Secretary of State Colin Powell claimed that U.S. forces and their sprawling bases throughout Iraq—which are being expanded in ways that appear to indicate an intention to stay for the long term—were no different than U.S. bases in Germany or South Korea. However, unlike Iraq, the United States does not have a right to bomb German or South Korean cities without permission of their governments.

Similarly, the U.S. ambassador John Negroponte, has not been—as the Bush administration has claimed—“just like any other ambassador,” given that many of the more than 1500 Americans attached to his “embassy” hold prominent positions throughout virtually every Iraqi ministry and his office controls much of the Iraqi government’s budget. (Negroponte has had some practice for this sort of thing: He was widely considered to be at least the second most powerful man in Honduras when he was U.S. ambassador in Tegucigalpa in the 1980s, given the large numbers of American troops in the country and the dependence of the regime on U.S. military and economic support.)

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Despite the reluctant stamp of approval by the UN special envoy and the UN Security Council of the transitional government, the fact remains that the

president, prime minister, and virtually all other major positions in the interim Iraqi government were filled by members of the IGC, which was appointed by U.S. occupation authorities.

The most important and influential figure in the government has been Ayad Allawi. Prior to his appointment as prime minister, polls of Iraqis showed that Allawi’s popularity ranked quite low in terms of personal support. His earlier career as a Baathist, which included active support for political repression, combined with his later years in exile with ties to the CIA and anti-government terrorist groups, have raised concerns regarding his commitment to democracy and human rights.

He has proven to be an unpopular leader, particularly because of his autocratic governing style and his support for offensive military actions by U.S. and Iraqi government forces that have resulted in large-scale civilian casualties.

President Ghazi al-Yawar was initially viewed suspiciously by many Iraqis because of his Saudi ties, his many years in exile, and his membership in the IGC,

though he has since gained some credibility for his criticism of U.S. counter-insurgency tactics. He wields very little power, however, even compared with the prime minister.

Just as the Soviet Red Army, which had freed eastern European nations from Nazi occupation at the end of World War II only to forcibly impose a Soviet-style political and economic system and foreign policy priorities onto compliant governments of their own creation, the United States is seen by increasing numbers of Iraqis as having similarly imposed its own priorities onto Iraq. The Eastern Europeans eventually won their freedom largely through protracted, nonviolent struggles to create democratic systems. The Iraqis, however, are already in open rebellion,

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they are utilizing guerrilla warfare and terrorism, and much of the organized resistance does not seek a democratic society as their ultimate objective.

Tragically, the longer the United States is seen as an occupier, the credibility of pro-democratic political figures will decline and support for more extremist elements will grow.

After the Elections

How much power the national assembly will be able to wield is in question. The Transitional Administrative Law, which was imposed by U.S.

occupation authorities, remains the law of the land in Iraq. Amendments can only be passed with a three-quarters majority of the National Assembly as well as the unanimous support of the Presidential Council. Due to their advantages in organization and funding, parties dominated by pro-American exiles could easily get at least 25% of the vote and/or at least one member of the Presidential Council, thereby leaving these unpopular laws in place. Members of the “control commissions”—including those overseeing the media and public finances—are dominated by American appointees and are scheduled to serve until at least 2009. American appointees also dominate the judiciary, which can challenge government rulings.

Furthermore, given the current level of the insurgency and the inadequacies of the Iraqi army, the government’s very survival may depend on ongoing cooperation with American prerogatives.

Even if the United States allows the new Iraqi government to assert their authority, however, it will still face serious problems with its credibility.

Perhaps most important is the restoration of basic services. Everyone from the General Accounting Office to various development agencies has underscored the fact that Iraqis are worse off now than they were prior to the U.S. invasion.

In contrast to the 1991 Gulf War, where—despite severe economic sanctions and heavier bombing damage inflicted upon the Iraqi infrastructure than in the 2003 invasion—the Iraqi government was able to

restore electrical power and most other basic services on its own within months; large areas of Iraq still lack electrical power and basic services nearly three years after the war began. While sabotage by anti-occupation forces has certainly made reconstruction difficult, there are also widespread charges of incompetence and corruption by U.S. contractors, who have shown a clear preference for bringing in skilled workers from the United States and elsewhere despite the presence of large numbers of qualified Iraqis desperately in need of employment.

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Whatever the reason, the ability of the new government to rebuild the infrastructure and restore basic services is far more important to most Iraqis than its ideological orientation or ethnic makeup. The big question is whether the United States will forgo the bonanza offered to American contractors under the present arrangement in order to allow the new Iraqi government a chance to prove itself capable of providing basic services and tackling the country’s debilitating high rate of unemployment.

A second big test of the government will be in its ability to halt the violence, both the widespread street crime (such as armed robbery, kidnapping, rape, and murder)—which has dramatically worsened since the U.S. invasion—as well as the violent insurgency against the U.S. occupation and its supporters. Though the use of terrorism by some elements of the resistance is not winning them converts, most Iraqis still end up blaming the United States, since it was the U.S. forces that ousted the government and dismantled its security apparatus which, despite its extreme brutality, was able to maintain stability and order.

A related challenge to the new government would be the temptation of radicals, particularly outsiders, to continue to engage in provocative actions designed in part to trigger counter-measures by U.S. or Iraqi government forces that inevitably result in still more civilian casualties and thereby further alienate the population from the United States and its Iraqi surrogates.

Also problematic are the conflicting desires of the Kurds, the Shiite Arabs, and the traditionally dominant Sunni Arabs, in governing the country. Though concerns over Kurdish rights and calls for some kind of federal system are quite reasonable in themselves, most Iraqis see this as an effort by the United States to divide and rule. The Shiite majority, meanwhile—having been systematically denied power by the Ottoman, British, Hashemite and Baathist rulers—are understandably disappointed that on the verge of finally being able to become the dominant political force, they are suddenly being told they must defer to the interests of

the minority Kurds and Sunnis. (An appropriate analogy might be an American city where, just as African-Americans are finally poised to constitute an electoral majority, the city charter is revised that devolves power away from City Hall or changes the election of the city council from city-wide to district elections.)

Even if one was to assume the best of intentions by the Bush administration, the United States has so alienated the Iraqi people that virtually everything Americans do in Iraq is now seen through skeptical eyes. Therefore, the more the United States can refrain from limiting the power of the new government or influencing its political direction, the more successful it is likely to be.

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It is possible that the ascension of an elected national assembly and the writing of a constitution could indeed mark the beginnings of the establishment of a more stable, prosperous and pluralistic Iraq. However, it would require putting into practice far more enlightened and deferential policies towards the new government in Baghdad than the Bush administration has thus far shown itself willing to implement.

What the Bush administration and most members of Congress of both parties fail to acknowledge is that Iraq cannot be pro-American without being at least somewhat autocratic and it cannot be democratic without being at least somewhat anti-American. The United States can have an Iraq that serves as a key strategic ally and close economic partner or it can have an Iraq with a legitimate representative government. Unless there is a radical change in U.S. policy, it cannot have both.

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