

FEDERALISM, TRUST, AND THE PROBLEM OF SECTARIANISM IN IRAQ

Major Research Paper Submission
To the Graduate School of Public and International Affairs
At the University of Ottawa

Matthew Saayman
4489887
Supervisor: Patti Lenard

Acknowledgements

My profound thanks for the guidance and support offered by my supervisor Patti Tamara Lenard.

My heartfelt thanks for the assistance offered by Ann Westbere, Carly Naismith, Sarah Farhan,
and Madeleine Sourisseau.

ABSTRACT

This paper examines the problem of sectarianism in Iraq. It begins from the premise that Prime Minister Nouri Al-Maliki has increasingly centralized power in his own hands and that the sectarian violence seen after the 2003 invasion could re-emerge. The paper seeks to answer the following question: will restructuring Iraqi federal relations contribute to resolving sectarian tensions? First, the paper examines the sources of sectarianism in Iraq. While Iraq may be a heterogeneous and an artificial state, the violence seen after the invasion was not inevitable and was instead caused by a weak state apparatus and by exclusionary regime practices. Second, the paper examines how a federal system of government generates trust among the citizenry. The paper provides an overview of federalism and its various forms, it examines the concept of trust and its related concept social capital, and it applies these concepts to the modern political history of Ethiopia and of Nigeria. While Ethiopia uses a model similar to the consociational model to mitigate ethnic divisions, Nigeria uses the territorial model for the same purpose. Both models are found wanting in the way of ameliorating relations between the major groups. Third, the paper identifies the concept of regional federalism and defines it as a synthesis of consociationalism and territorial federalism. It examines the articles of the Iraqi constitution pertaining to federalism and to the treatment of minorities. The Iraqi constitution is implicitly a regional federal model but certain provisions have not been enforced in practice, especially those pertaining to the rights of minorities or the devolution of power from the central government. The safeguarding of certain constitutional provisions, Article 125 and Article 119 for example, could aid in resolving sectarian tensions. The paper concludes with a discussion of factors that may affect the likelihood of federal relations being restructured.

Contents

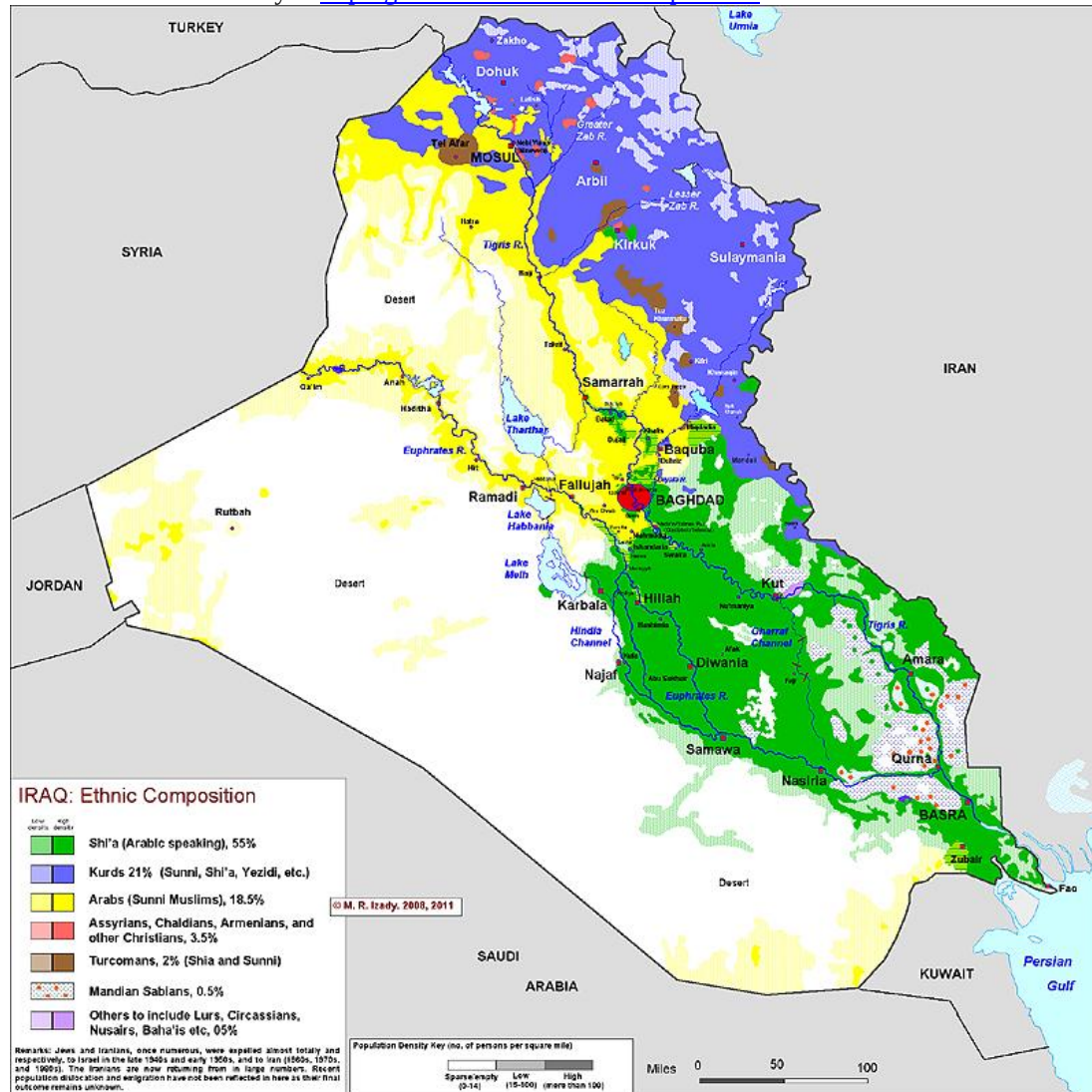
Introduction.....	7
Chapter 1	12
<i>What are the sources of sectarianism in Iraq?</i>	12
A (very) brief history of modern Iraq: 1920-2003	19
The Weak State Apparatus and Exclusionary Regime Practices	23
Conclusion	32
Chapter 2	34
<i>How does a federal system of government generate trust among the citizenry?</i>	34
Federalism, trust, and fragile states.....	40
Trust and social capital	42
Nigeria—Holding-together through territorial federalism.....	47
Nigerian federalism in practice	50
Ethiopia—Holding together through consociationalism.....	52
Conclusion	56
<i>Chapter 3 – Will restructuring Iraqi federal relations contribute</i>	57
<i>to resolving sectarian tensions?</i>	57
Conclusion	65
<i>Bibliography</i>	68

Governorates of Iraq



Ethnic groups of Iraq

Source: Dr. Michael Izady at <http://gulf2000.columbia.edu/maps.shtml>



Introduction

A cursory glance at the website of international think tank Freedom House categorizes Iraq as “not free;” Iraq ranks low with regard to its civil liberties and political rights.¹ This should come as no surprise, given that the current Prime Minister Nouri Al-Maliki has acted in an increasingly authoritarian manner since being elevated to that position in May 2006. At that time, Maliki was an unknown figure, having been exiled from Iraq since the 1970s. He was seen as being independent of Iranian influence, as being a “tough Arab nationalist,”² and as being pro-federalist. Fundamentally, he was selected as a compromise candidate between competing factions.^{3 4} But in late 2006, Maliki began accruing personal power by building a close network of supporters composed of two tiers, his immediate and extended family, and the key players in the Dawa Party.⁵ Confronted with fierce political elite infighting in the government, Maliki consolidated his power base by distributing patronage to senior civil servants and high-ranking officers, thereby making such individuals directly accountable to him. In 2008, Maliki further secured his position when he sent the Iraqi armed forces to remove the Mahdi Army—a formidable militia group—from the city of Basra. The so-called “Charge of the Knights” successfully routed the Mahdi Army from the city and saw the re-establishment of order in a city

¹ Freedom House rates countries of the world based on two checklists; one for “political rights” and one for “civil liberties.” The “political rights” list includes participation, the electoral process, and political pluralism. The “civil liberties” list includes the rule of law, associational rights, and the autonomy of the individual from the state. <http://www.freedomhouse.org/report/freedom-world-2012/methodology>

² Kerim Yildiz, *The Future of Kurdistan: The Iraqi Dilemma* (New York: Pluto Press, 2012), 63

³ Guy Raz, “Nouri Al-Maliki’s Rise to Leadership,” *National Public Radio*, July 27th, 2006, accessed June 16th, 2013 <http://www.npr.org/templates/story/story.php?storyId=5581690>

⁴ Bernard Gwertzman, “Iraq: A Compromise PM?” *Council of Foreign Relations*, April 29th, 2010, accessed June 16th, 2013, <http://www.cfr.org/iraq/iraq-compromise-pm/p22015>

⁵ Toby Dodge, “State and society in Iraq ten years after regime change: the rise of a new authoritarianism.” *International Affairs* 89, no. 2 (2013): 256

whose residents had previously been subject to kidnappings and violence.⁶ The operation's success won widespread approval and increased Maliki's popularity.

Maliki's centralization of power continued after the parliamentary elections in March 2010. The results yielded to Nouri Maliki's party coalition, State of Law, 89 seats; a close second to 91 seats gained by the Al-Iraqiyya party coalition, under Ayad Allawi. Neither coalition had the number of seats required for a majority (163 seats),⁷ and it was only after an agreement was reached in December 2010 that a government was formed.⁸ The so-called "Erbil Agreement" (or 'Irbil Agreement'), was a 15 point list intended to place limits on Maliki including specific controls on the Ministry of Defense, weakening the ties of the military and police to Maliki's office, and creating a National Council for Strategic Policies, to be chaired by Allawi.⁹ That council, which would examine all key policy decisions before going to parliament for enactment, was never created. Meanwhile, the judiciary in Iraq has been weak and politicized, civilian and political opponents have been intimidated, and the use of torture by government interrogators has not been uncommon.¹⁰

In sum, a man who began his position as a political outsider and as someone who could presumably be controlled has been tremendously successful at centralizing the power of the state in his own hands. In spite of this centralization, or perhaps because of it, some Iraqis have

⁶ Mary Kaldor, "The Paradox of Basra," *Open Democracy*, January 13th, 2009, accessed June 16th, 2013 <http://www.opendemocracy.net/article/email/kaldor-in-basra>

⁷ Timothy Williams and Rod Nordland, "Allawi Victory in Iraq Sets UP Period of Uncertainty," *New York Times*, March 26th, 2010, Accessed June 16th, 2013, <http://www.nytimes.com/2010/03/27/world/middleeast/27iraq.html?adxnnl=1&pagewanted=all&adxnnlx=1368285441-Vst+AKPUHBa0HubulFqRag>

⁸ Ranj Alaadin, "The Iraqi government's patchwork alliance may struggle to survive," *The Guardian*, December 24 2010, accessed June 16th, 2013 <http://www.guardian.co.uk/commentisfree/2010/dec/24/iraq-government-maliki>

⁹ Ayad Allawi, Osama Al-Nujafi and Rafe Al-Essawi, "How to Save Iraq from Civil War," *The New York Times*, December 27, 2011, accessed June 16th, 2013 http://www.nytimes.com/2011/12/28/opinion/how-to-save-iraq-from-civil-war.html?_r=4 AND <http://www.guardian.co.uk/commentisfree/2010/dec/24/iraq-government-maliki> AND Toby Dodge, *Iraq: From war to a new authoritarianism*, (The International Institute for Strategic Studies, New York, Routledge, 2012): 162

¹⁰ Toby Dodge, "State and society in Iraq ten years after regime change: the rise of a new authoritarianism," *International Affairs* 89:2 (2013): 242

praised Nouri al-Maliki, claiming that he helped to bring an end to the period of violent sectarianism¹¹ that engulfed Iraq after the 2003 invasion.¹² That violent sectarianism reached its devastating peak in 2006 when over 30, 000 Iraqis were killed—an average of 100 deaths every day.¹³ While violence in Iraq has decreased since 2006, a throw-back to the Iraqi civil-war¹⁴ with the inflaming of sectarian tensions is a possibility.¹⁵

Given that Maliki has increasingly centralized power in his own hands and given that there is a possibility of outright civil war in Iraq, is there a way to ensure peace and security for Iraqis while at the same time restricting the power of Maliki? In 2011, politicians in the Al-Iraqiyya coalition floated the idea of decentralization as a solution to restraining Maliki.¹⁶ The issue of decentralization must be discussed as a viable solution to the increasing authoritarianism of Maliki. I therefore pose the thesis question which is to be the focus of this paper: ***will restructuring Iraqi federal relations contribute to resolving sectarian tensions?*** This is a worthwhile question for several reasons. Federalism is an important concept for understanding Iraqi politics. The 2005 constitution describes Iraq as a federal state and the very word “federalism” is considered contentious for Iraqis. In Baghdad, there is scepticism among Shiites

¹¹ Sectarianism is defined as adhering to “a bigoted or narrow-minded fashion to a sect or body of persons who have agreed upon particular doctrines or practices. Education Scotland, “What is Sectarianism?”, *Education Scotland*, accessed May 29th, 2013, <http://www.educationscotland.gov.uk/supportinglearners/positivelearningenvironments/inclusionandequality/challengingsectarianism/about/index.asp>

¹² Ghaith Abdul-Ahad, “Six years after Saddam Hussein, Nouri Al-Maliki tightens his grip on Iraq,” *The Guardian*, April 30, 2009, accessed May 29th, 2013, www.guardian.co.uk/world/2009/apr/30/iraqi-prime-minister-maliki

¹³ Frank Gunter, *The Political Economy of Iraq* (Electronic Book. Edward Elgar Publishing, 2012)

¹⁴ I refer to the violence in Iraq from 2006-2008. The use of the words “civil war” is contentious. As Toby Dodge writes in “Iraq: From War to New Authoritarianism,” the number of civilian deaths in Iraq has surpassed the number of civilian deaths in past conflicts that have been labelled as “civil war.”

¹⁵ Harith al-Qarawee , “The Rise of Sunni Identity in Iraq,” *The National Interest*, April 5th, 2013, accessed May 1st, 2013

<http://nationalinterest.org/commentary/sunni-identitys-rise-iraq-8314>

¹⁶ Toby Dodge, *Iraq: From war to a new authoritarianism*, (The International Institute for Strategic Studies. New York: Routledge, 2012): 164

and Sunnis concerning the applicability of federalism to Iraq.¹⁷ Some scholars maintain that ongoing civil unrest is best viewed as disagreement over the future of Iraq's federal system, rather than as disagreement between sects.^{18 19} Moreover, the apparent lack of consensus regarding Iraqi federal relations will have adverse effects on the longevity of this nascent regime.²⁰

To answer my thesis question about federal relations in Iraq, I divide my examination into three parts. First, I ask the question "What are the origins of sectarianism in Iraq?" I examine the issue of group identities and how such identities may or not be malleable. I provide a concise historical overview of 20th-century Iraq. I then turn to the post-2003 politics of Iraq and examine how the decisions of the Coalitional Provisional Authority (CPA) as well as of the Iraqi government contributed to sectarianism. I conclude that although Iraq is a religiously and ethnically heterogeneous state, the sectarian violence seen after the invasion was by no means inevitable and that the origins of the sectarian violence were the weakness of the Iraqi state and the exclusionary regime practices that occurred after 2003.

Second, I examine the concept of federalism and its applicability to fragile states. A fragile state is one which has weak state capacity: that is to say, it is marked by weak political and economic institutions, and it suffers from governance problems and from political instability.²¹ Since trust between citizens and government is essential for the stability of a

¹⁷ Reidar Visser, "Introduction," In *An Iraq of Its Regions? Cornerstones of a Federal Democracy?* Ed. Reidar Visser and Gareth Stansfield, (New York: Columbia University Press, 2008), p 21

¹⁸ Raad Alkadiri, "Oil and the Question of Federalism in Iraq," (*International Affairs*, 86: 6, 2010): 1317

¹⁹ Mahmood Ahmad, "Divide and Rule: The Hidden Conflict in Iraq," (*Dialogue* 2 (4), 2007)

²⁰ Harith al-Qarawee, "The Rise of Sunni Identity in Iraq," *The National Interest*, April 5th, 2013, accessed May 1st, 2013

²¹ The World Bank, "Definitions of Fragility and Conflict," *The World Bank*, July 26th, 2012, accessed May 29th, 2013, <http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/STRATEGIES/EXTLICUS/0,,contentMDK:22230573~pagePK:64171531~menuPK:4448982~piPK:64171507~theSitePK:511778,00.html>

political regime,²² I assume that it is an appropriate concept to discuss with regard to fragile states and federalism. I provide brief a discussion of the concept of trust and its related term, social capital. Then I examine the federal relations in Ethiopia and Nigeria and I discuss how trust has been positively or negatively affected by federal relations. These are countries that implemented federal arrangements to manage sectarian relations. I conclude that a synthesis of two models, consociationalism and territorial federalism, may be a remedy for resolving tensions in Iraq.

Third, I examine the prospects of generating trust across the religious, ethnic and linguistic groups in Iraq, and I examine the likelihood of federal relations being restructured. I show how the Iraqi constitution is implicitly regional in its character but that certain provisions have not been upheld. The constitutional provision that safeguards the rights of minorities has not uniformly enforced and the devolution of power from the central government to the governorates has not been realized. I conclude with a discussion on how international factors may affect the likelihood of federal restructuring taking place.

²² Ashraf Ghani, "Closing the Sovereignty gap: An Approach to state-building", (Overseas Development Institute, 2009): p 7. The author writes that "The extent to which the citizens of a state accept that the promulgation and enforcement of these rules serves the interest of the majority is crucial to engendering *trust between the state and its citizens and giving citizens a sense of belonging*. The structure of administration could vary in practice between highly centralized to highly federated depending on the historical and cultural context."

Chapter 1

What are the sources of sectarianism in Iraq?

In this chapter I begin with an overview of Iraq's multinational and heterogeneous nature. I discuss the concept of group identity and examine its relationship with sectarianism in Iraq. With reference to the literature on conflict resolution, I describe the multiple and exclusionary group identities in Iraq that became prevalent after the 2003 invasion. Following that discussion, I provide a brief overview of the history of Iraq from 1920 to 2003. The historical overview contextualizes the discussion on the weakness of the Iraqi state. I describe the weakness of the Iraqi state and how that weakness was made worse by decisions of the Coalitional Provisional Authority including the disbanding of the army, the failure to ensure adequate forces on the ground after the invasion, and the decision to proceed with rapid democratization. Then I describe the exclusionary regime practices and how such practices have fuelled sectarian tensions.

What are the sources of sectarianism in Iraq? One possible source is Iraq's heterogeneous character. By heterogeneous, I mean that within Iraq's borders there are multiple group identities that appear to be antagonistic and exclusionary. What is the make-up of Iraqi society? And why do I suggest that such identities appear to be antagonistic and exclusionary? Regarding the make-up of Iraqi society, the majority of Iraqis (roughly 75% of the population) are Arab. The Kurds are the largest ethnic minority, comprising 15-20% of the population. The Kurds speak their own distinct language and are dominant in the northern and mountainous region of Iraq, known as Kurdistan. Other minorities— Turkomen and Assyrians—make up roughly 5% of the population and are interspersed throughout the country. Overwhelmingly, the people of Iraq are Muslim,

with 97% of the population practicing some form of Islam. Around 60% are Shi'a, while roughly 30% are Sunnis. Christians and other religious groups represent 3% of the population.²³

Regarding my contention that there are multiple group identities that appear to be antagonistic and exclusionary, it is useful to begin with a definition of “social identity.” This is an individual’s conceptualization of himself or herself based on a perceived membership in a group.²⁴ I refer to “social identity” as “group identity” for the remainder of the paper. At first glance, a group identity would appear to be necessarily relative and malleable. When I leave the city of Ottawa to go to Toronto, I identify as being a resident of the former. When I go to a sports bar I identify with a particular soccer team. And when I travel internationally I identify as a Canadian. So, an individual holds multiple group identities. What makes a society heterogeneous is not merely the existence of multiple group identities but the multitude of certain types of group identities. While relations between members of two soccer teams might be competitive—even antagonistic—presumably, anyone can gain membership to a soccer team’s fan base. Yet some group identities are exclusionary as people the world over perceive others as having certain identities that are fixed from birth; a person is either a Tutsi or a Hutu; an Anglophone or Francophone; black or white. In the case of conflict between Irish Catholics and Protestants, while a person could theoretically be baptized to become a Catholic or a Protestant, there is still a perception that such identities are about *race*, in which case they are fixed from birth.²⁵

²³ See: CIA, “The World Factbook: Iraq” <https://www.cia.gov/library/publications/the-world-factbook/geos/iz.html>

²⁴ “Social Identity Theory,” *University of Twente*, accessed May 15th, 2013 http://www.utwente.nl/cw/theorieenoverzicht/Theory%20Clusters/Interpersonal%20Communication%20and%20Relations/Social_Identity_Theory.doc/

²⁵ Robbie McVeigh and Bill Rolston argue that sectarianism is racism and examine how the colonization of Ireland was perceived in terms of race. They point out that during the colonization, Irish Catholics were perceived as generally unintelligent and lazy. From: Robbie McVeigh, and Bill Rolston, “From Good Friday to Good Relations: sectarianism, racism and the Northern Ireland state,” (*Race and Class*, 48:4, 2007). 1-23.

Literature on conflict resolution confirms that group identities, while socially constructed, can reach a point where they are essentially fixed.²⁶ Put differently, an individual's identification with a particular group intensifies during or after a conflict to the point that negative perceptions are engrained in the minds of individuals; these perceptions, or "enemy images" as Janice Stein calls them, are difficult to reverse.²⁷ ²⁸ That group identities can be exclusionary and antagonistic has been made abundantly clear by events in Iraq. Abu Mustapha, an Iraqi bureaucrat, describes the unsettling change in identities among Iraqis following the 2003 invasion:

...people began changing offices. The remaining Sunnis all put their offices in certain halls, and Shi'ites did the same in others. No one would ever have thought of doing this at the ministry in the old regime. We were all just colleagues at the Ministry of Agriculture. None of us cared who was Sunni or Shi'ite before.²⁹

In a situation of uncertainty or insecurity—such as the breakdown of state authority—an individual will more closely associate with some identities than with others, often to the point of exclusion.³⁰ This is because in such situations, an individual might have a particular identity imposed on them by another group.³¹ If individuals of a particular group are facing persecution, they might join together to protect themselves and their kin; thus a security dilemma fuels ethnic hatreds in intrastate conflict.³² Iraqi society would appear to be no exception.

²⁶ Chaim Kaufmann, "Possible and impossible solutions to ethnic civil wars." *International security* 20, no. 4 (1996): 137

²⁷ Janet Gross Stein, "Image, Identity and Conflict Resolution," in *Managing Global Chaos*, eds. Chester Crocker, Fen Hampson and Pamela Aall, (Washington, D.C.: United States Institute of Peace Press, 1996) pp 93-111.

²⁸ See also: Harold Saunders, "Interactive Conflict Resolution: A View for Policy Makers on Making and Building Peace," p: 252

²⁹ Mark Kukis, *Voices From Iraq: A People's History, 2003-2009*, (New York: Columbia university Press, 2011): 53

³⁰ Jack Snyder and Robert Jervis, "Civil War and the Security Dilemma," (In: *Civil Wars, Insecurity, and Intervention*. Ed. Barbara F Walter, Columbia University Press, 1999): P 22

³¹ Chaim Kaufmann, "Possible and impossible solutions to ethnic civil wars." *International security* 20, no. 4 (1996):

³² Jack Snyder and Robert Jervis, "Civil War and the Security Dilemma," (In: *Civil Wars, Insecurity, and Intervention*. Ed. Barbara F Walter, Columbia University Press, 1999):

The violence in Iraq has been remarkably concentrated; 48% of the civilian deaths since 2003 have been in and around Baghdad, with other deeply-troubled areas being the province of Diyala, the province of Salah al-Din and the province of Anbar.³³ The latter province was an “epicentre” of the insurgency that emerged after the invasion, and its city of Fallujah is a case-in-point for understanding the ethnic cleansing as well as the formation of exclusionary and antagonistic group identities. After the Coalition assault on the city of Fallujah in 2004, hundreds of thousands of refugees took flight, many of them settling in areas of Western Baghdad. Shia residents of these areas were forced out by newly-arrived refugees, some of whom had been radicalized by their experiences in Fallujah³⁴ and organizations such as Al Qaeda in Mesopotamia conducted attacks in Shia neighborhoods (note the differences between the two maps on the following page with regard to sectarian geography). As predicted by the literature on conflict resolution, individuals began seeking security with militia groups that corresponded to their religious or ethnic identity; enemy images became engrained, and a tit-for-tat pattern emerged between insurgent groups. For example, when a bomb destroyed the Shi’ite Al-Askari Mosque in the Salah al-Din province, a wave of violence erupted across the area against Sunnis Muslims. Finally, individuals sought security in sectarian-aligned groups such as the Mahdi Army and the Sadrist movement, both under the leadership of radical Shi’ite cleric Muqtada al-Sadr. Not unlike Hezbollah, the Sadrist movement created networks of charities to distribute food and supplies to ordinary Shi’a Iraqis while at the same time acting as a source of radicalization.³⁵

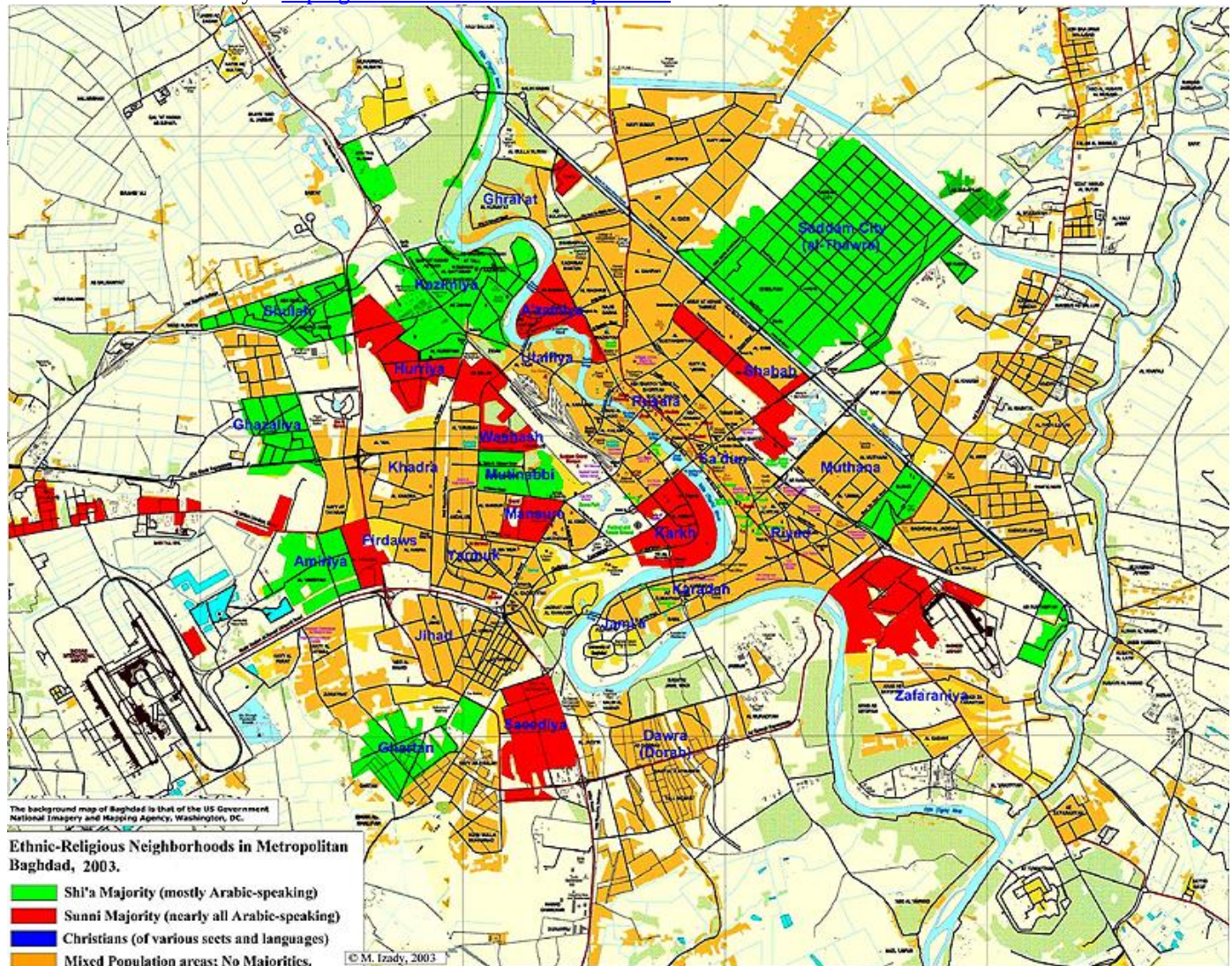
³³ “The War in Iraq: 10 Years and counting,” *Iraq Body Count*, March 19th, 2013, accessed May 30th, 2013, <http://www.iraqbodycount.org/analysis/numbers/ten-years/>

³⁴ Toby Dodge, *Iraq: From War to New Authoritarianism*

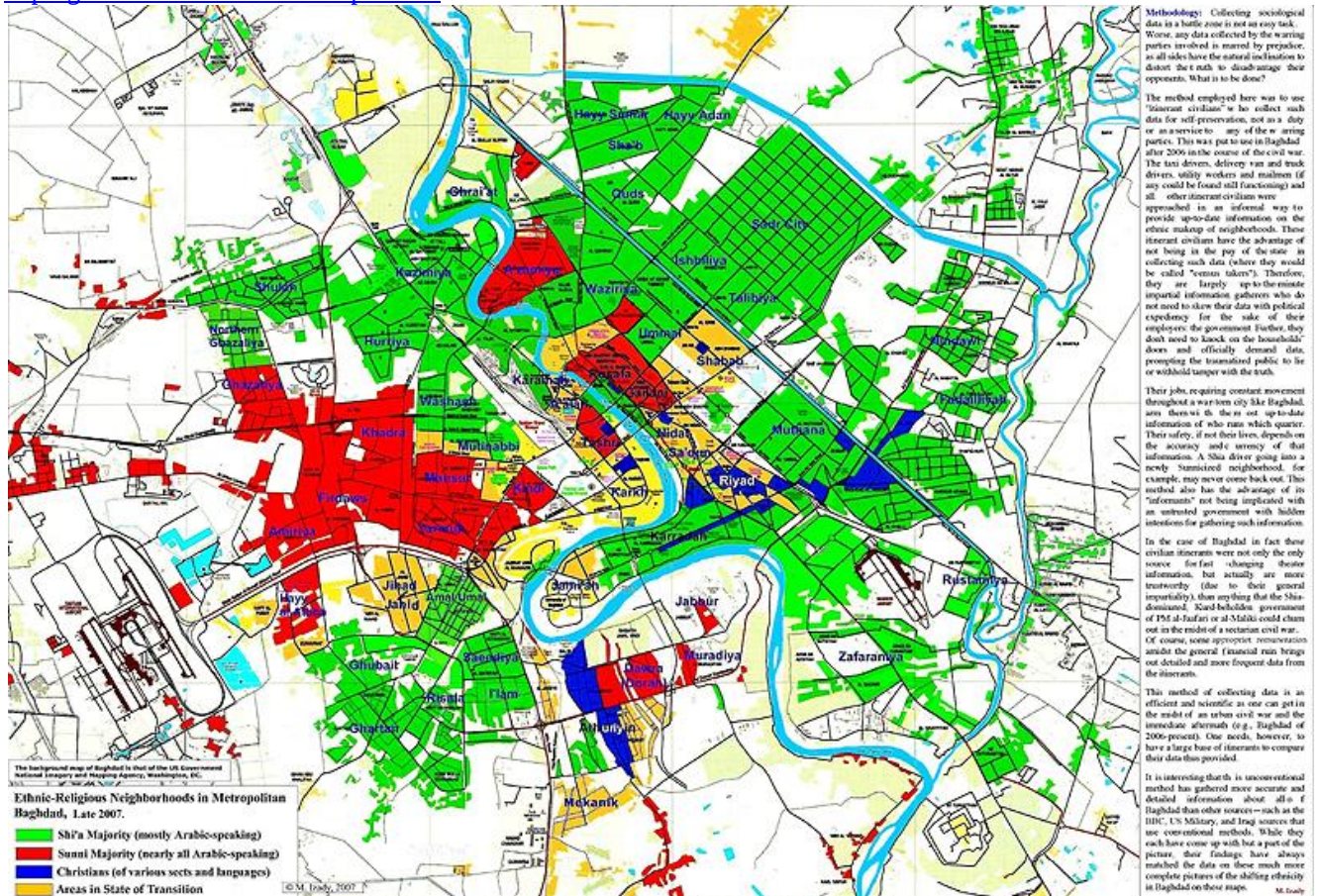
³⁵ Michael R Gordon and Bernard E Trainor, *The Endgame: The Inside Story of the Struggle for Iraq, From George W Bush to Barack Obama*, (New York: Pantheon Books, 2012):

Baghdad, Iraq, Ethnic composition in 2003.

Source: Dr. Michael Izady at <http://gulf2000.columbia.edu/maps.shtml>



Baghdad, Iraq, Ethnic composition in late 2007 Source: Dr. Michael Izady at <http://gulf2000.columbia.edu/maps.shtml>



So, Iraqi society would appear to be marked by multiple and exclusionary ethnic and group identities. Iraq would also appear to be a multinational society. By “nation,” I mean the “imagined community” as described by Benedict Anderson. Since face-to-face interaction is impossible in highly-populated societies, members imagine each other as having a common language, history, and value system. As Anderson writes: a nation “is imagined because the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion”.³⁶ Some scholars and policy-makers have argued that there is a weak, if not non-existent, perception of an Iraqi nation. Leslie Gelb of the Council on Foreign Relations argues that the state of Iraq was

³⁶ Benedict R. O'G Anderson, *Imagined communities: reflections on the origin and spread of nationalism* (Revised and extended. ed. London: Verso, 1991): p. 224.

“cobbled” together and that a three-state partition is a solution.³⁷ Similarly, historian Margaret MacMillan writes that the creation of the Iraqi state “threw peoples together”.³⁸ The implication here is that Iraq is an artificial state and must be partitioned.³⁹ But such views are unsatisfactory and as Sherko Kirmanj writes, Iraqi identity existed before the creation of the Iraqi state.⁴⁰ Specifically, there was a notion of an “Iraq” before the creation of the state as scholars and travellers in the 19th century referred to the geographical area as such.

Without a doubt, ethnic, religious and national identities matter. The violence of post-2003 occurred along the fault-lines of antagonistic and exclusionary group identities. Nevertheless, the heterogeneous character of Iraq is in fact insufficient to explain sectarianism. Up to 70% of Iraqis support the idea of a unified Iraq.⁴¹ Additionally, James Fearon and David D Laitin find no statistical support for the argument that one can predict the likelihood of intrastate conflict based on how heterogeneous a society is.⁴² Finally, the existence of stable, heterogeneous societies—such as Belgium, Canada or Switzerland—while having multiple exclusionary group identities within their borders nevertheless have a widely accepted national identity which trumps other identities. True, Canada and Belgium have both have strong separatist elements within their borders. But such societies have managed to remain stable and prosperous while allowing the flourishing of diversity. In short, Iraqi society was by no means doomed by its heterogeneous character to descend into the sectarian chaos of 2006-2008. We must look further to explain sectarianism in Iraq.

³⁷ Leslie Gelb, “The Three-State Solution,” <http://www.nytimes.com/2003/11/25/opinion/the-three-state-solution.html>

³⁸ Margaret MacMillan, *Paris 1919: Six Months that Changed the World*, (Toronto: Random House, 2003): 493

³⁹ Ivan Eland, *Partitioning For Peace: An Exist Strategy of Iraq* (Oakland, CA: The Independent Institute , 2009)

⁴⁰ Sherko Kirmanj, *Identity and Nation in Iraq*. (London: Lynne Rienner Publishers, 2013): p9

⁴¹ Toby Dodge, “From Regime change to civil war: violence in post-invasion Iraq,” (*The Peace in Between: Post-war Violence and Peacebuilding*. Ed. Astrie Suhrke. Mats Berdal. New York: Routledge, 2012). 136

⁴² James D Fearon and David D. Laitin, "Ethnicity, insurgency, and civil war," *American political science review* 97.1 (2003): 75-90.

A (very) brief history of modern Iraq: 1920-2003

An examination of Iraq's history will contextualize the heterogeneous nature of Iraq that I described above and provide the background for the post-2003 invasion. The borders of the modern Iraqi state were drawn by British colonial administrators after the First World War. The British combined three former provinces of the Ottoman Empire to create Iraq, namely Mosul (in the north), Baghdad, and Basra (in the south).⁴³ The League of Nations requested that Britain administer Iraq as a mandate, and British colonial officials were well aware that this would be a temporary affair (they had no intention of making Iraq a part of the British Empire).⁴⁴ On the drawing of the Iraqi borders, the British administrators emphasized the historic relationship between Mosul and Baghdad that had existed under the Ottoman Empire. Of paramount interest for the British was ensuring access to oil. For Sunni elites in Baghdad and Basra, including Mosul in the new state would be a counterbalance against the Shi'ites in the south (given that the majority of Kurds in the north were Sunnis).⁴⁵ At this time, the Shi'a and Kurds had little to no representation in Baghdad. Moreover, the majority of civil servants at this time were Sunni Arabs.

Formal independence was granted to Iraq in 1932. Historian Thabit Abdullah suggests that the Iraqi army was a natural incubator of nationalism. The majority of officers at this time were Sunni and saw themselves as a unifying force for all Arabs. Arab nationalism gained prominence around this time among the young and educated, in some ways alienating Kurds and Shi'ites.⁴⁶ The army was consequently both a source of a source of stability and instability for

⁴³ Thabit Abdullah, *A Short History of Iraq*. 2nd edition, (Toronto: Pearson, 2011): 90-95

⁴⁴ Toby Dodge, *Inventing Iraq: The Failure of Nation Building and a History Denied* (New York: Columbia University Press, 2003): 2

⁴⁵ Thabit Abdullah, *A Short History of Iraq*. 2nd edition (Toronto: Pearson, 2011): 101

⁴⁶ Ibid: 105

the fledgling Iraqi monarchy as officers realized that the monarchy desperately relied on the military for survival. In 1937 a coup d'état was launched by an officer, Bakr Sidqi. From this point in time, Iraq was plagued by a second British occupation during the Second World War and by numerous coup d'états.

It should be no wonder, then, that a person such as Saddam Hussein emerged as the sole ruler of Iraq. In the words of Joseph Sassoon, the history of Iraq was defined by “recurrent power vacuums among different interest groups”.⁴⁷ It seems fair to say that Saddam Hussein brought an end to such recurrent power struggles. The Ba’thist Party came to power in 1968 and pursued a program of modernization, including increasing literacy among women, establishing electricity in 75 percent of the Iraqi countryside, and offering free healthcare.⁴⁸ Such state projects were made possible by Iraq’s oil wealth⁴⁹ (Iraq’s oil reserves are estimated to be the fourth-largest in the world).⁵⁰ All the while, Iraq became a society permeated by fear, suspicion and co-optation.⁵¹ The Ba’th Party of Iraq was successful in its longevity because of its use of violence and fear as tools of control. It eliminated all opposition and brought the military under its control, and it co-opted large numbers of the population; not all individuals joined the Ba’th Party under duress as joining the party offered substantive opportunities for social advancement.⁵²

Yet the Ba’th Party was unable to create a shared identity and common history for Iraqis. The central government, before and under Sadam Hussein, pursued a policy of Arabizing Iraqi Kurdistan as a means to exercise more direct control over that region. In 1983, for example,

⁴⁷ Joseph Sassoon, *Saddam Hussein’s Ba’th Party: Inside an Authoritarian Regime* (New York: Cambridge University Press, 2012): 33

⁴⁸ Thabit Abdullah, *A Short History of Iraq*. 2nd edition, (Toronto: Pearson, 2011): 130

⁴⁹ Joseph Sassoon, *Saddam Hussein’s Ba’th Party: Inside an Authoritarian Regime*, (New York: Cambridge University Press, 201), 238

⁵⁰ Phebe Marr, *The Modern History of Iraq*. 3rd edition (Boulder, CO: Westview Press, 2012): 12

⁵¹ Joseph Sassoon, *Saddam Hussein’s Ba’th Party: Inside an Authoritarian Regime*. New York: Cambridge University Press, 2012.

⁵² Ibid: 279, 195.

party officials of Arabic background were relocated to northern Iraq.⁵³ Similarly, Sherko Kirmanj discusses the problem of textbooks used in Iraqi schools over the past several decades and how under the Ba'th Party textbooks gave little to no mention of Shi'ite historical grievances against Sunnis. Moreover, such textbooks did not provide space for Kurdish identity. Salah al-Din al Ayubu, first Sultan of Egypt and Syria, was in fact Kurdish, but he was referred to as a Muslim leader of the *Arabs*.⁵⁴

The people of Iraq suffered enormously during two major conflicts: the Iran-Iraq War (1980-1988) and the First Gulf War (1990-1991). The Iran-Iraq war ended in a stalemate but had profound consequences for Iraq-Iran relations as well as for the Kurds of Iraq. For one, the war saw the emergence of ideological themes in both countries, as the forces of Shi'ism (Iran) were pitted against the forces of Sunnism (Iraq), and a nation of Arabs was pitted against a nation of Persians.⁵⁵ Meanwhile, Kurdish insurgents received Iranian backing to rise up against Saddam who responded in kind: after the war Saddam had 90% of Kurdish villages and 20 small Kurdish towns were destroyed.⁵⁶

During the First Gulf War, American and allied forces crippled the Iraqi state and up to 90 percent of the electric grid was destroyed.⁵⁷ International sanctions against Iraq made most Iraqis even more dependent on the state as Ba'th officials controlled the distribution of humanitarian aid,⁵⁸ and the value of the Iraqi dinar plummeted.⁵⁹ Yet the most egregious consequence of international sanctions was widespread malnutrition and starvation resulting in

⁵³ Ibid: 39

⁵⁴ Sherko Kirmanj, *Identity and Nation in Iraq* (London: Lynne Rienner Publishers, 2013): 233-237

⁵⁵ Lawrence G Potter and Gary Sick, *Iran, Iraq, and the Legacies of War*. New York: Palgrave Macmillan, 2004. Electronic document: p 4

⁵⁶ Ibid: 141-142

⁵⁷ Ibid: 242

⁵⁸ Toby Dodge, *Inventing Iraq: The Failure of Nation Building and a History Denied* (New York: Columbia University Press, 2003): 160

⁵⁹ Joseph Sassoon, *Saddam Hussein's Ba'th Party: Inside an Authoritarian Regime*, (New York: Cambridge University Press, 2012), 242-245

the deaths of hundreds of thousands of children.⁶⁰ In what was perhaps a redeeming act, the international community created a no-fly zone for Kurdistan. After Saddam's forces left Kurdistan in late 1991, the Kurdish Regional Government was able to exercise de facto control over this region which it continues to exercise to this day.⁶¹

How can the history of Iraq up until 2003 be summarized? Toby Dodge wrote *Inventing Iraq* shortly before the 2003 invasion. He argues that Iraqi politics in the 20th century was marked by four “interlinked structural problems.” One, a deployment of extreme levels of organized violence by the state to shape society. Two, the use of the state to co-opt society. Three, the use of oil revenue to increase state autonomy from society—that is to say, state institutions did not rely on society for their legitimacy. Four, the “re-creation by the state of communal and ethnic divisions as a strategy of rule.”⁶² Regarding the first three, the Ba’th Party successfully made use of oil revenues to pursue modernization projects and it successfully co-opted and repressed dissenting groups or individuals. Joseph Sassoon estimates that during the years in which the Ba’th Party was in power, some 15 million perished.⁶³ Regarding the fourth, the use of “communal and ethnic divisions,” the effects of the “Arabization” policy are still felt by Iraqis today. For example, the Kurdish Regional Government has been accused of pursuing a policy of “Kurdification,” ostensibly to reverse the policies of Saddam; non-Kurds who had been sent north under the Ba’ath Party are being pressured to leave Kurdish areas.⁶⁴

⁶⁰ Jonathon Marcus, “Analysis: Do Economic Sanctions Work?” *BBC News*, July 26th, 2010, accessed May 20th, 2013 <http://www.bbc.co.uk/news/world-middle-east-10742109>

⁶¹ Kerim Yildiz, *The Future of Kurdistan: The Iraqi Dilemma*. New York: Pluto Press, 2012

⁶² Toby Dodge, *Inventing Iraq: The Failure of Nation Building and a History Denied* (New York: Columbia University Press, 2003): 169

⁶³ Ibid: 282

⁶⁴ Liam Anderson and Gareth Stansfield, *Crisis in Kirkuk: The Ethnopolitics of Conflict and Compromise*, (Philadelphia: University of Pennsylvania Press, 2009): 67

The Weak State Apparatus and Exclusionary Regime Practices

I turn now to a discussion of some of the major decisions that took place after the 2003 invasion. For the sake of brevity, I will not discuss all political developments since 2003. I focus on certain developments that contributed to the emergence of the sectarianism that was discussed earlier. The weak state apparatus of the Iraqi state leading up to and after the 2003 invasion was a contributing factor to the sectarian violence and the descent into civil war. As I pointed out during the discussion on identities, in situations of insecurity and uncertainty individuals will more closely identify with one group than with another group. In Iraq, a weak state apparatus and the inability of the Coalition Provisional Authority (CPA) to fill the gap led to the proliferation of sectarian violence. Following the March 2003 invasion, the Office for Reconstruction and Humanitarian Assistance for Iraq was installed as a provisional government with retired general Jay Garner at its head.⁶⁵ He was soon replaced by Paul Bremer III as head of the Coalitional Provisional Authority, in May 2003. A De-Baathification Commission was established to purge high-ranking officials associated with the former regime. As a part of that strategy, Bremer disbanded the Iraqi army and emphasized that the army was a symbol of the previous regime.⁶⁶ As Colin Powell later said, the CPA should have worked to weed out those who had been “Saddemites” while at the same time preserving the existing infrastructure of the army.⁶⁷ After the announcement, thousands of former Iraqi officers took to the streets in protest. One former officer who was interviewed said that “if they [the Coalition authorities] don’t pay us, we’ll start problems. We have guns at home. If they don’t pay us, if they make our children suffer, they’ll

⁶⁵ Oliver Morgan, “US Arms Trader to Run Iraq,” *The Guardian*, March 30th, 2003, accessed May 20th, 2013, <http://www.guardian.co.uk/business/2003/mar/30/iraq.globalisation>

⁶⁶ Paul Bremmer III, “How I didn’t Dismantle Iraq’s Army,” (*The New York Times*, September 6th, 2007, <http://www.nytimes.com/2007/09/06/opinion/06bremmer.html?ex=1346817600&en=278710834dcd1971&ei=5124&partner=permalink&exprod=permalink>).

⁶⁷ Michael Gordon, “Fateful Choice on Iraqi Army Bypassed Debate,” (*New York Times*, March 17th, 2008), <http://www.nytimes.com/2008/03/17/world/middleeast/17bremmer.html?pagewanted=3&fta=y>

hear from us”.⁶⁸ Suffice to say, the decision to disband the army has been credited with contributing to the instability after 2003.⁶⁹ By disbanding the Iraqi army, the CPA ostracized and infuriated some members of the populace who became more inclined to take up arms against the state. Though the CPA tried incentivizing former soldiers from joining the insurgency by offering monetary compensation, the disbanding of the army soon became an issue of pride for former officers.⁷⁰

The weakness of the Iraqi state was also evinced by the destruction of civilian institutions and of state infrastructure. First, as we have already seen, the First Gulf War and international sanctions crippled the Iraqi state and economy. Second, the immediate aftermath of the 2003 invasion wrought additional havoc upon the Iraqi state. Mass looting and vandalism took place in April of that year, as 17 of 23 of government buildings for central ministries were destroyed. Third, the De-Baathification Commission did not just target the armed forces but the civil service as well. State civilian institutions therefore suffered a massive loss of “institutional memory,” making it difficult for the state to deliver basic services to ordinary Iraqis.⁷¹

As Robert Kaplan once argued, Saddam Hussein was a “Hobbesian nemesis” who successfully held back the forces of anarchy.⁷² It would seem that the CPA was unable to hold back the forces of anarchy when it decapitated the regime. Before the invasion, some policy-makers and government officials argued that stabilizing Iraq would require the presence of several hundred thousand troops. Eric Shinseki, Army Chief of Staff, had called for several

⁶⁸ Ahmed Hashim, *Insurgency and Counter-insurgency in Iraq*, (London: Cornwell University Press, 2006): 96

⁶⁹ James P Pfiffner, "US Blunders in Iraq: De-Baathification and Disbanding the Army." *Intelligence and National Security* 25, no. 1 (2010): 76-85.

⁷⁰ Ahmed Hashim, *Insurgency and Counter-insurgency in Iraq*, (London: Cornwell University Press, 2006): 96-97

⁷¹ Toby Dodge, *Iraq: From War to New Authoritarianism*,

⁷² Robert Kaplan, “We Can’t Force Democracy,” *Washington Post*, March 2nd, 2006, accessed April 30th, 2013, www.washingtonpost.com/wp-dyn/content/article/2006/03/01/AR2006030101937.html

hundred thousand troops,⁷³ and James Dobbins of the Rand Corporation argued that the occupying forces would need 20 security personnel per thousand people (implying between 400,000 and 500,000 troops), based on an analysis of US operations since WWII.^{74 75} The CPA combined forces numbered a mere 173, 000.

The pursuit of democratization also contributed to the emergence of sectarianism.⁷⁶ This is not because democratization is necessarily problematic in heterogeneous or post-conflict societies. Instead, the ordering sequence affects the likelihood of internecine intrastate conflict.⁷⁷ Why is this so? When state institutions are weak, political elites are incentivized to use nationalist rhetoric to succeed in elections.⁷⁸ As I have already demonstrated, the weakness of the Iraqi state profoundly shaped the identities of ordinary Iraqis. Together, the weakness of the Iraqi state and its rapid democratization fuelled sectarian violence. Larry Diamond, who advised the Coalitional Provisional Authority on democratic reforms in Iraq, has said that it was a mistake to hold national elections so soon after the invasion. In his own words: “ill-timed or ill-prepared elections do not produce a democracy.”⁷⁹ For this reason, Roland Paris argues that national elections ought to be delayed until the “passions have cooled” in societies marked by ethnic or

⁷³ Eric Schmitt, “Threats and Response,” *New York Times*, February 28th, 2003, <http://www.nytimes.com/2003/02/28/us/threats-responses-military-spending-pentagon-contradicts-general-iraq-occupation.html>

⁷⁴ James F Dobbin et. al, “America’s role in nation-building: from Germany to Iraq.” (Rand Corporation, http://www.rand.org/pubs/monograph_reports/MR1753.html): 150

⁷⁵ PBS, “Interview: James Dobbin,” *Public Broadcasting Service*, <http://www.pbs.org/wgbh/pages/frontline/yeariniraq/interviews/dobbins.html>, October 17th, 2006

⁷⁶ Democratization may be understood as “the process that takes place in the transition from an authoritarian type of regime to a more democratic” regime. See: Ludvig Beckman, “Democratization and inclusion,” (In: *Routledge Handbook of Democratization*, Ed. Jeffery Haynes. New York: Routledge Taylor Francis Group, 2012). 162

⁷⁷ Dankwart A Rustow, “Transitions to democracy: Toward a dynamic model,” (In: *Comparative Politics*, 2.3, 1970): 337-363 AND Mansfield, Edward D. Snyder, Jack. *Electing To Fight: Why Emerging Democracies Go to War*, (Cambridge: MIT Press, 2005. Print. 2005)

⁷⁸ Edward Mansfield and Jack Snyder, *Electing To Fight: Why Emerging Democracies Go to War*, (Cambridge: MIT Press, 2005. Print. 2005): 3

⁷⁹ Larry Diamond, “Lessons from Iraq,” *Journal of Democracy* 16.1 (2005): 18

religious tensions.⁸⁰ Likewise, Mansfield and Snyder write that in most of the states where democratization has been successful, “powerful elites did not feel threatened by a successful transition to democracy, in part because trusted state institutions made credible guarantees that elites would have a soft landing.”⁸¹ In states such as South Africa, Poland, Hungary and Chile, the democratic regime successfully upheld contracts.

At the same time, a number of scholars warn that a process of slow or delayed democratization can lose momentum and increase the renewal of conflict, thereby undermining future efforts at reform.^{82 83} Similarly, British Member of Parliament Rory Stewart argues that the “delayed” approach was untenable in Iraq. As he explains:

We [the Coalitional Provisional Authority] went through a period of feeling that we should delay democracy, that the lessons learned from Bosnia [is] that elections held too early [result in extremism]...let’s not have elections for 2 years. Let’s invest in voter education... The result was... a huge crowd of people standing outside my office screaming for the election. I said: “What’s wrong with the people we chose?” The answer came: “The problem isn’t the people you chose. The problem is that you chose them.”⁸⁴

So, while rapid democratization in Iraq contributed to the escalation of sectarianism in Iraq, a gradual or slow transition could have contributed to the escalation of sectarianism by alienating other elements of the population. To put it more concretely, the majority of Shi’ite Iraqis wanted national elections to take place as soon as possible and influential players, such as Ayatollah Ali al-Sistani, were adamant that parliamentary elections take place no later than January 2005. Paul Bremer and the UN Special Representative to Iraq Lakhdar Brahimi determined that there were

⁸⁰ Roland Paris, “Peacebuilding and the Limits of Liberal Internationalism”, *International Security*, 22, 2 (Fall 1997): 58

⁸¹ Edward D Mansfield and Jack Snyder, *Electing To Fight: Why Emerging Democracies Go to War*, (Cambridge: MIT Press, 2005. Print. 2005): 8

⁸² Paul Collier, “Doing well out of war,” *conference on economic agendas in civil wars, London*, Vol. 26, (1999)

⁸³ Edward D Mansfield and Jack Snyder, *Electing To Fight: Why Emerging Democracies Go to War*. Cambridge: MIT Press, 2005

⁸⁴ Rory Stewart, “Why Democracy Matters,” *Ted Talks*, October 2012, accessed May 12th, 2013
http://www.ted.com/talks/rory_stewart_how_to_rebuild_democracy.html

two ways to ensure that elections would take place by that date. Parliamentary seats could be allocated to each of the 18 governorates (provinces) of Iraq based on the populations of those governorates. Alternatively, the entire country could be temporarily considered one electoral district. Believing the former option to be fraught with logistical problems, the latter option was chosen.⁸⁵ ⁸⁶As a result, candidates on the ballot in the January 2005 election were chosen by party leaders and were therefore not accountable to local Iraqis.⁸⁷ But in delaying national elections—which would presumably have allowed time for voter education and the development of regulations to govern the voting process—the Coalitional Provisional Authority would have alienated an unacceptably large portion of the Iraqi populace.

Our analysis thus far suggests that the Iraqi state could not make credible guarantees for its citizens. For one, many Iraqis suddenly found themselves out of a job or without clout as a result of the De-Baathification process. In his recent book, historian Toby Dodge argues that one of the “drivers” of the violence post-2003 was the exclusive nature of the post-war settlement. An inclusive elite bargain brings together a broad section of national elites to form a coalition, thereby guaranteeing elites access to the state for the purposes of patronage. The post-war settlement in Iraq was an exclusive elite bargain involving a narrow set of elites. In creating the provisional government—the Iraqi Governing Council (IGC)—Paul Bremer as well as UN Special Representative Sergio de Mello, sought to represent Iraq’s ethnic and religious heterogeneous character by including 13 Shi’ites, 5 sunnis, a Turkoman, and a Christian. But the majority of the individuals appointed by the CPA to the IGC had been exiles and only two of the

⁸⁵ Michael R Gordon and Bernard E Trainor, *The Endgame: The Inside Story of the Struggle for Iraq, From George W Bush to Barack Obama*, (New York: Pantheon Books, 2012): 81

⁸⁶ Larry Diamond, "Lessons from Iraq," *Journal of Democracy* 16.1 (2005)

⁸⁷ Michael R Gordon and Bernard E Trainor, *The Endgame: The Inside Story of the Struggle for Iraq, From George W Bush to Barack Obama*, (New York: Pantheon Books, 2012): 81

Sunnis appointed were members of organized political parties in Iraq.⁸⁸ There was wide distrust among Iraqis of the members of the IGC⁸⁹—perhaps a given since it was composed mainly of exiles who had been appointed by the CPA. Thus a fundamental problem of the new regime was not only been that it failed to provide security to a large number of its citizens but that it was based on a process of exclusion. During the January 2005 elections voter turnout was ominously low among the Sunni population, with a 2% turnout in the Sunni-dominated governorate of Anbar. The main Sunni Arab political party boycotted the elections arguing that a large number of Sunni Arabs had not been adequately educated about the election and that the growing violence in the communities north-west of Baghdad made it impossible for elections in that area to be genuinely free and fair.⁹⁰

The newly elected representatives agreed that a permanent constitution would need to be drafted by August 15th, 2005 and put to a referendum by October 15th, 2005. A number of scholars and policy-makers have argued that the constitutional drafting process in Iraq proceeded too quickly and that it served to fuel sectarian tensions.⁹¹ Others argue that there was widespread public ignorance over the constitution despite the enormous turnout to ratify the constitution.⁹² Moreover, Sunni Arabs representatives were by and large opposed to the constitutional provision that would allow any of the 18 governorates to join together to form regions. The draft constitution also recognized the authority of the Kurdish Regional Government (Chapter Five,

⁸⁸ Toby Dodge, *Iraq: From war to a new authoritarianism*. The International Institute for Strategic Studies. New York: Routledge, 2012: 41-43

⁸⁹ Larry Diamond, "Lessons from Iraq," *Journal of Democracy* 16.1 (2005)

⁹⁰ Michael Howards, "Main Sunni party pulls out of Iraqi election," *The Guardian*, December 28th, 2004, accessed May 30th, 2013 <http://www.guardian.co.uk/world/2004/dec/28/iraq.michaelhoward>

⁹¹ Jamal Benomar. "Constitution-making after conflict: Lessons for Iraq." *Journal of Democracy* 15, no. 2 (2004): 93 AND "Unmaking Iraq: A Constitutional Process Gone Awry," *International Crisis Group*, September 26th, 2005, accessed May 25th, 2013 <http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/iraq/B019-unmaking-iraq-a-constitutional-process-gone-awry>

⁹² Reidar Visser, "Kurdish Issue in Iraq," *Fletcher F World Affairs*, 34, (2010): 83

Section 1, Article 113). For Sunni Arabs, these provisions would mean the condemnation of the Sunni Arab community to ignominy: presumably, Shi'ite dominated governorates of the oil-rich south could join together and exercise considerable clout in the new political regime; meanwhile, Sunni Arab communities, such as those in Anbar, would be bereft of oil wealth.

The draft constitution also included such provisions as 2007 deadline to hold a referendum on the status of the oil-rich governorate Kirkuk. Specifically, representatives wondered, was that governorate to come under the jurisdiction of the Kurdish Regional Government (KRG)? Three governorates currently fall under the jurisdiction of the KRG, yet the KRG exercises de facto control farther south than official borders demarcate. The governorate of Kirkuk is officially outside the jurisdiction of the KRG but it has been a source of contention since 2003. The city of Kirkuk has been called the “Jerusalem” of the Kurdish people⁹³ and there are substantial oil reserves in and around the governorate.⁹⁴ Baghdad maintains that oil wealth of Iraq is under the jurisdiction of the central government while the KRG has argued otherwise.⁹⁵ Presently, the *peshmerga*—the armed forces of the KRG—and the Iraqi Armed Forces are stationed outside of the city of Kirkuk.

In 2008 the Iraqi parliament attempted to pass a bill regarding the status of Kirkuk (while no Kurds were present during the vote). Article 4 of the bill required that Kirkuk to be shared equally among major ethnic groups. President Jalal Talabani, himself a Kurd, used his veto power to prevent the bill from becoming law. The incident served to incense both Arabs and

⁹³Kerim Yildiz, *The Future of Kurdistan: The Iraqi Dilemma*, (New York: Pluto Press, 2012): 47

⁹⁴ Raad Alkadiri, "Oil and the Question of Federalism in Iraq," *International Affairs* 86, no. 6 (2010): 1315-1328.

⁹⁵ The Economist, “Northern Iraq,” *The Economist*, April 20th, 2013 <http://www.economist.com/news/middle-east-and-africa/21576394-despite-assertions-contrary-iraqs-kurds-are-inching-towards-outright>

Kurds. Arab representatives accused the Kurds of pursuing narrow interests while Kurdish representatives felt they were not being treated as equal partners in the new regime.⁹⁶

The dispute over Kirkuk may have more to do with access to oil than with group identities. Moreover, the increasing authoritarian behaviour of Maliki is encouraging the KRG to consolidate its control over Kurdish-populated areas and to keep the *peshmerga* adequately equipped.⁹⁷ Yet group identities are the very least affected by such exclusionary regime practices—that is to say, an individual will more strongly identify with one group and less with a political regime if the individual perceives that political regime as acting against his or her interests. As one scholar quips, though there have been Kurds living within Iraqi borders for nearly a century, “it is difficult to find a Kurdish household that raises the Iraqi flag...”⁹⁸ Kurdish identity has come to play a definitive role for those living in northern Iraq. It is not unreasonable to posit that for a national Iraqi identity to trump other group identities, Kurdish Iraqis will have to be convinced that they are equal partners in the Iraqi federation. Meanwhile, exclusionary regime practices have fueled sectarian tensions.

Sunni Arabs have likewise felt excluded from participation in the new regime. In January 2010, the Justice and Accountability Commission (successor to the De-Baathification Commission) invalidated 499 candidates in the lead-up to national elections. The commission insisted that the decision had not been based on sect and had been based on candidates’ affiliation with the previous regime.⁹⁹ Then, on January 14th the disqualified candidates were given 3 days to file an appeal in court. The court ruled that candidates could run in the election

⁹⁶Liam Anderson and Gareth Stansfield, *Crisis in Kirkuk: The Ethnopolitics of Conflict and Compromise*. (Philadelphia: University of Pennsylvania Press, 2009): 3-4

⁹⁷ Anthony H. Cordesman and Sam Khazai, “Patterns of Violence in Iraq,” *Centre for Strategic and International Studies*, October 24th, 2013, accessed April 30th, 2013
http://csis.org/files/publication/121024_Iraq_Violence.pdf

⁹⁸Sherko Kirmank, *Identity and Nation in Iraq*, (London: Lynne Rienner Publishers, 2013): 245

⁹⁹ Alex M Jackson and Maidson Jones, Ed. *Iraq After Saddam Hussein: Facing Challenges, Securing Gains*. New York: Nova Science Publishers, 2012): 12

and “clear up questions of Baathist affiliation afterwards.”¹⁰⁰ In February, the commission again proved indecisive and announced that 145 candidates disqualified. While 26 were later reinstated, the remaining candidates who had been disqualified were replaced. Prime Minister Al-Maliki publicly advocated for the disqualification of these candidates, warning of a “Ba’thist” threat, and it is possible that Maliki did so as a ploy to shore up the Shi’a vote.¹⁰¹ This is peculiar, given that the State of Law coalition was, at the time, ostensibly a secular, cross-sectarian coalition. Regardless, these turn of events reinforced the perception of Sunni Arabs that the new regime was conspiring against them and that it was working in the interests of the Shi’a.¹⁰²

It is beyond the scope of this paper to discuss every nefarious deed that has occurred under the new regime thus I have scarcely discerned the issue of exclusionary regime practices. It was not just the disqualification of electoral candidates that led some Sunnis to regard the new regime with suspicion, fear or hostility; the brutal use of state resources against civilians has compounded such perceptions. The use of torture at the Jadriya bunker by Iraqi security officials,¹⁰³ which is believed to have had to do with embittered Shi’ite militiamen seeking to “settle old scores” with former Sunni fighter pilots,¹⁰⁴ and the activities of the Iraqi national police to facilitate or ignore attacks by Shi’ite militiamen against Sunni civilians,¹⁰⁵ helped to solidify Sunni resentment of the new regime. And of course such violence was by no means limited to those of the Shi’ite faith—affiliates of Al Qaeda were responsible for the destruction

¹⁰⁰ Ibid. 12

¹⁰¹ Toby Dodge, *Iraq: From War to New Authoritarianism*

¹⁰² Steven Lee Myers, “Candidates to Stay off Ballot in Iraq,” *New York Times*, 2010, February 14, P A19)

¹⁰³ John F Burns, “To Halt Abuses,” *New York Times*, December 14th 2005, accessed June 21st, 2013, http://www.nytimes.com/2005/12/14/international/middleeast/14abuse.html?pagewanted=print&_r=0

¹⁰⁴ Michael R Gordon and General Bernard E Trainor, *The Endgame*, (New York: Pantheon Books, 2012): 187

¹⁰⁵ Ibid., 224

of the Shi'ite Al-Askari Mosque—and the atrocities of the Coalition troops against civilians are well-documented.

Conclusion

In this chapter I demonstrated how in times of uncertainty, insecurity, or conflict, an individual will identify more intensely with one group than with another. The artificial nature of the Iraqi state and the intensity of ethnic, religious, and national identities are all important for understanding the heightened violence and insurgency that followed the 2003 invasion. The modern history of Iraq demonstrates the difficulty in constructing a national identity. Saddam was unable to create a lasting national identity, for example. Yet the violence of post-2003 was by no means inevitable. Instead, the weak state capacity of Iraq, compounded by the de-Baathification process of the CPA and the rapid process of democratization served to heighten sectarian tensions. But political elites of the new regime must also accept responsibility for sectarianism. Political elites have continued to alienate certain segments of the population. The efforts of Arab politicians to clandestinely pass a bill regarding the status of Kirkuk and the disqualification of hundreds of Sunni Arab candidates leading up to the March 2010 election are poignant reminders of the role of sectarianism in Iraqi politics and of the fragility of the new regime.

It is not seem unreasonable to suggest that the tensions over Kirkuk have more to do with a disagreement over federal relations than with group identities; Baghdad and the KRG are at odds over which government has jurisdiction over natural resources of Iraq. Such instances are proof of the adverse effects of exclusionary regime practices. As Harith al-Qarawee writes in *The National Interest*, Nouri Al-Maliki has been focused on achieving a monopoly on force

without creating a sense of inclusion. If Al-Maliki hopes to legitimize his authority, he and other political elites will have to isolate extremists by building more inclusive institutions.¹⁰⁶ At the opening of this paper, I pointed to the support that Maliki seems to enjoy, seemingly for providing Iraqis with stability. Maliki now finds himself in a Catch-22. He can appeal to his electorate and support base by continuing to consolidate his power—he can continue to achieve a monopoly on force without inclusion. Yet to do so may lead Iraq down the path of civil war.¹⁰⁷ To build more inclusive institutions, Iraqi leaders will have to focus on restructuring the federal structures of their country. To understand how leaders might pursue such a policy, I turn now to a discussion of federalism.

¹⁰⁶ Harith al-Qarawee, “The Rise of Sunni Identity in Iraq,” *The National Interest*, April 5th, 2013, accessed May 1st, 2013

¹⁰⁷ Ibid.

Chapter 2

How does a federal system of government generate trust among the citizenry?

Two problems were identified in the previous section on the origins of sectarianism in Iraq. One, the weakness of the Iraqi state contributed to sectarianism through its adverse effects on citizen relations. Decades of war, international sanctions, the dearth of coalition troops on the ground after 2003, and the disbanding of the army all contributed to the weakening of Iraqi state institutions. It was demonstrated that in situations of insecurity and uncertainty—especially in periods of transition from authoritarianism to democracy or from internecine conflict to peace—individuals will more intensely identify with one group more than another. Two, exclusionary regime practices fuelled sectarian tensions. In particular, the ongoing dispute over the province and city of Kirkuk, the 2010 disqualification of electoral candidates, and the drafting process of the 2005 constitution convinced some Sunni Arab elites as well as Kurdish elites that the current regime under Maliki is not working in their interests.

Today, the capacity of the Iraqi state is still tenuous. Iraq's new armed forces consist of the military—controlled by the Ministry of Defense—and the Federal Police (formerly the National Police)—controlled by the Ministry of the Interior. Toby Dodge argues that this “large and overbearing military” makes a return to civil to civil war unlikely.¹⁰⁸ The state capacity of Iraq is therefore, in some ways, on its way to restoration. That being said, the sectarian tensions that embroiled the country after the invasion could re-emerge. As reported by the International Crisis Group, long-term stability for Iraq will require resolving disputes over federal relations.¹⁰⁹

¹⁰⁸ Toby Dodge, “Iraq: From War to New Authoritarianism,” p 121

¹⁰⁹ Jooste Hiltermann, Sean Kane, Raad Alkadiri, “Iraq's Federalism Quandary,” *International Crisis Group*, February 28th, 2012, <http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/iraq/op-eds/hiltermann-iraqs-federalism-quandary.aspx>

Before concrete policy-options can be sketched out regarding these problems, an overview of federalism is required.

In this section, I attempt to answer the following question: how does a federal system of government generate trust among the citizenry? The outline of this section is as follows: First, I begin with an overview of federalism, providing its definition as well as its various forms. Second, I examine the concept of trust and its myriad definitions. As I argue below, trust plays a special role in a federal system, more so than in other systems of government. I examine heterogeneous states such as Nigeria and Ethiopia, where the goal of restructuring federal relations, in the case of Nigeria, or adopting a federal system, in the case of Ethiopia, has been to avoid or to mitigate future ethnic, linguistic or religious conflict.¹¹⁰ I examine the federalist systems in Nigeria and Ethiopia because doing so may reveal important lessons for restructuring Iraqi federalism.

Federalism may be defined as a political system in which power is divided between a central government and two or more sub-units.¹¹¹ In federalism, power is shared between the levels of government and each has a demarcated area of jurisdiction so that neither government is subordinate to the other. A high court resolves disputes between the different levels of government.¹¹² Federal systems are common among geographically large democracies.¹¹³ This is no surprise given that societies which are today referred to as democratic are in fact representative democracies. In such societies, few individuals are actually involved in the governance of the country. Representative democracy is thus necessarily elitist. But such elitism

¹¹⁰ Sujit Choudhry and Hume, Nathan, "Federalism, Secession & Devolution: From Classical to Post-Conflict Federalism" (2010). RESEARCH HANDBOOK ON COMPARATIVE CONSTITUTIONAL LAW, Tom Ginsburg, Rosalind Dixon, eds., 2010 . Available at SSRN: <http://ssrn.com/abstract=1623682>

¹¹¹ Anderson George, *Federalism: An Introduction*, (Toronto: Oxford University Press, 2008)

¹¹² Sujit Choudhry and Hume, Nathan, "Federalism, Secession & Devolution: From Classical to Post-Conflict Federalism," Available at SSRN: <http://ssrn.com/abstract=1623682>

¹¹³ Anderson George, *Federalism: An Introduction*, (Toronto: Oxford University Press, 2008)

is not necessarily intolerable. Legal rules and a political culture that accepts the rule of the law constrains the behaviour of elites.¹¹⁴ A federal system may constrain elite behaviour by way of a written constitution that protects the autonomy of the various levels of government. Furthermore, amendments to the constitution require the consent of both the central government and the sub-national government

A brief examination of the forms of federalism is worthwhile because such an examination will provide us with the vocabulary required to discuss federal relations in Nigeria, in Ethiopia and in Iraq. Distinguishing between these forms of federalism will also allow us to assess the way in which networks of trust are shaped by different political regimes. My examination might be criticized as creating a false dichotomy since I compare and contrast coming together federations to holding together federations, consociationalism to territorial federalism, and asymmetrical federations to symmetrical federations. In fact, a federal system could have characteristics of more than one of the models I describe. Section 3 will introduce regionalism (regional federalism) as a mid-way point between territorial federalism and consociationalism. Moreover, as the concluding discussion will show, regional federalism offers a midway point between the various models examined.

First, *coming together* federations are those in which independent political units join together to create a federation. In such federations, the federal (central) government is the creation of independent units. Canada and the US are examples of coming-together federations. In America, the 13 colonies joined together in opposition to the British, and created the Articles of Confederation in 1781.¹¹⁵ This precursor to the American constitution recognized the 13

¹¹⁴ Jennifer Smith, *Federalism*. Vancouver: UBC Press, 2004: 15

¹¹⁵ "Federalism," *Stanford Encyclopaedia of Philosophy*, Jan 5th 2003, accessed June 17th, 2013 <http://plato.stanford.edu/entries/federalism/>

colonies as independent and sovereign entities. The central government was therefore not only a creation of the 13 colonies but was severely constrained with regard to defense and taxation.¹¹⁶

Canada's federal system came to fruition when three British colonies (The Province of Canada, New Brunswick, and Nova Scotia) joined together to form the Dominion of Canada. As with the American system, the desire to create a federalist system sprung from security and economic concerns. First, those living in British North America were concerned about American expansion and ongoing Fenian raids across their borders. Second, the Fathers of Confederation were concerned with the recently cancelled free-trade deal with the USA and the need to improve infrastructure between the colonies.¹¹⁷ What guided the thinking of some political elites before and after 1867 was compact theory, which holds that the federal government is a creature of the provinces—a compact between the sub-units— and that its powers should therefore be limited.¹¹⁸

Second, in contrast to *coming together* federal arrangements, *holding together* federal arrangements emerge when a unitary state devolves power to newly-created or existing political units. The reasons for such restructuring may be to avoid civil strife.¹¹⁹ For example, the current federalist framework in Belgium is the product of reforms from the 1970s to 1994, reforms which took place, at least in part, to manage linguistic diversity and to reduce civil strife.¹²⁰ During that time, a number of powers were delegated from the central government to other levels

¹¹⁶ Ibid.

¹¹⁷ PB Waite, "Confederation," *The Canadian Encyclopaedia*, 2012, accessed June 17th, 2013
<http://www.thecanadianencyclopedia.com/articles/confederation>

¹¹⁸ Richard Simeon and Luc Turgeon, "Federalism, Nationalism and Regionalism in Canada," (*Revista d'estudis autonòmics i federals* 3, 2006): 16-17.

¹¹⁹ "Federalism," *Stanford Encyclopaedia of Philosophy*, Jan 5th 2003, accessed June 17th, 2013
<http://plato.stanford.edu/entries/federalism/>

¹²⁰ Kris Deschouwe, "Ethnic structure, inequality and governance of the public sector in Belgium" *United Nations Research Institute for Social Development*, January 2004, accessed May 20th, 2013
[http://www.unrisd.org/UNRISD/website/document.nsf/ab82a6805797760f80256b4f005da1ab/ec506a59176be044c1256e9e003077c3/\\$FILE/Deschou.pdf](http://www.unrisd.org/UNRISD/website/document.nsf/ab82a6805797760f80256b4f005da1ab/ec506a59176be044c1256e9e003077c3/$FILE/Deschou.pdf)

of governments, such as the regions and communities. The three regions of Belgium correspond to linguistic divisions but their constitutional powers concern areas such as infrastructure, scientific research, agricultural or water policy. These regions are Wallonia (pre-dominantly French-speaking), Flanders (pre-dominantly Dutch-speaking), and Brussels (officially bilingual). The federal arrangement also demarcates “community-level” governments corresponding to the German-speaking population, the French-speaking population, and the Flemish-speaking population.¹²¹ Their areas of jurisdiction include matters such as language, culture, education and social welfare. In sum, holding-together federations are the result of a unitary state devolving power to new or existing levels of government.

Third, another way to distinguish federal systems is to approach them as either being a territorial federal system or a consociational system. The consociational model is one model for governing heterogeneous societies. Lijphart identifies four central components to consociations including elite accommodation through power-sharing (political elites of different ethnic, linguistics, or religious groups are guaranteed a seat in the government), proportionality (each group receives representation in the government proportionate to the population of the sect), a minority veto (ethnic, religious, or linguistic minorities have a veto power to block legislation that could perceivably harm the interests of the minority), and segmental autonomy¹²² which requires that the ethnic groups be “kept as separate as possible.”¹²³ In other words, the borders of the sub-units will correspond as accurately as possible to ethnic, religious, or linguistic divisions.

¹²¹ “Belgium: a federal state,” *Belgium.de*, accessed May 20th, 2013
http://www.belgium.be/en/about_belgium/government/federale_staet/

¹²² Arend Lijphart, "Consociational democracy." *World politics* 21, no. 2 (1969): 207-225 AND
 Arend Lijphart, "Constitutional design for divided societies." *Journal of democracy* 15, no. 2 (2004): 96-109.

¹²³ Lijphart, Arend. "Consociational democracy." *World politics* 21, no. 2 (1969): 219

Fourth, territorial federal arrangements are not structured to accommodate ethnic or cultural groups.¹²⁴ The American system is a case in point: the 13 colonies came together without the intention of accommodating a particular religious or ethno-cultural group and the constitution stresses equality before the law. A territorial federal arrangement is not necessarily a coming-together arrangement, as I shall demonstrate when I examine Nigeria's federal system. Fundamentally, the goal of territorial federalism is to foster pluralism through the creation of sub-unit borders that do not correspond to the location of ethnic, religious, or linguistic groups.¹²⁵ This is not to say that territorial federalism will necessarily lack a common identity to unite the citizenry. Paul Gilbert, for example, distinguishes between *non-civic nationalism* (consider Anderson's definition of nationalism which I discussed in Chapter 1) and *civic nationalism* which conceives the nation simply as a group of people who have only their shared political institutions to unite them.¹²⁶ Presumably a territorial federal arrangement could lead to the generation of such a civic nationalism, as the American example demonstrates. Of course, as was shown in Section 1, in situation of extreme conflict, individuals will most intensely identify with a particular group. The intensification of such identities would probably make the development of a civic nationalism all the more difficult since people will begin identifying not with their political institutions but with family, clan, or religion—groups that were instrumental in forming a person's identity from a young age. The American example is also exceptional as the colonists in that new federation were culturally and linguistically similar so that an issue of ethnic or national recognition was not an issue to the drafters of the constitution.

¹²⁴ Jennifer Jennifer, *Federalism* (Vancouver: UBC Press, 2004): 33

¹²⁵ Liam Anderson, "The Non-ethnic regional model of federalism," (In *An Iraq of Its Regions? Cornerstones of a Federal Democracy?* Ed. Reidar Visser and Gareth STansfield, (New York: Columbia University Press, 2008): 210

¹²⁶ Paul Gilbert, "Communities real and imagined: good and bad cases for national secession", (In: *Theories of Secession*, Ed. Percy Lehning, New York: Routledge, 1998: 210-211

Fifth, yet another way to distinguish federal systems is to classify them as either asymmetrical or symmetrical. Symmetrical federalism exists when the state or regional or provincial governments are equal in terms of constitutional power. Once again, the US is a case in point: the American constitution recognizes all states as equal in relation to the federal government. By contrast, asymmetrical federalism exists when the state or regional or provincial governments have different relationships with the central government. Canada has evolved in such a way that its federal relations are asymmetrical. Compact theory, mentioned earlier, holds that the federal government is the result of a compact between the sub-units. A defining issue of Canadian history has been whether that compact is between two linguistic groups (the English and the French) or between 10 provinces.¹²⁷ In theory, the Canadian constitution identifies the provinces as being equal, but in practice, the constitution has been used to give asymmetrical powers to Quebec, specifically with regard to control over language and immigration.¹²⁸

Federalism, trust, and fragile states.

I turn now to a discussion of federalism, trust and fragile states. Federalism requires trust between citizens and trust between citizens and the state. If it seems that I am merely stating the obvious—does not every form of government require trust?—consider that a totalitarian regime can presumably operate without the trust of large segments of the population. As we shall see shortly, types of trust are more prevalent under certain regimes than under others. To repeat, trust

¹²⁷Richard Simeon and Luc Turgeon. "Federalism, Nationalism and Regionalism in Canada." *Revista d'estudis autonòmics i federals* 3 (2006): 11-41.

¹²⁸ Sujit Choudhry, "Does the World Need More Canada? The Politics of the Canadian Model in Constitutional Politics and Political Theory" *International Journal of Constitutional Law* 5 (2007): 606-638

is instrumental to federalism. The very word “federalism” comes from the Latin word *foedus*, meaning a covenant or agreement.¹²⁹

Together, federalism and trust have a unique role to play in fragile states. The OECD defines a fragile state as “a state with weak capacity to carry out the basic state functions of governing a population and its territory and that lacks the ability or political will to develop mutually constructive and reinforcing relations with society.”¹³⁰ I assume the last part of the definition—the inability to build “mutually constructive and reinforcing relations within society”—as implying relations of trust. In such societies, a federal system might be pursued to prevent or at least mitigate future conflict between ethnic, religious, or linguistic groups.¹³¹ For a federal system to work, members of the various groups must trust one another or, at the very least, not perceive one another as a threat.¹³² So, in consociationalism a minority veto power and the drawing of borders to match the location of ethnic, religious or linguistic groups can be seen as two institutional mechanisms to generate trust. As Lijphart says, “good social fences may make good political neighbours.”¹³³ On that assumption, trust will be generated when members of different groups live in separate communities and do not fear one another. Conversely, territorial federalism—which does not accommodate ethnic, religious, or linguistic groups—would attempt to create trust in the form of civic nationalism. Given the importance of trust in

¹²⁹ “Forum of Federations –Federalism,” *The Forum of Federations*.

<http://www.google.ca/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&cad=rja&ved=0CDAQFjAB&url=http%3A%2F%2Fwww.forumfed.org%2Fen%2Ffederalism%2F&ei=eErYUaXwDMA5rQHa7YDYCg&usq=AFQjCNHkva1agK4oNq8S7CoP3w09KA4Saw&bvm=bv.48705608,d.aWM>

¹³⁰ “About the Fragile States Principles,” *Organization for Economic Cooperation and Development*, accessed May 25th, 2013 <http://www.oecd.org/countries/afghanistan/aboutthefragilestatesprinciples.htm>

¹³¹ Sujit Choudhry,, and Nathan Hume. "Federalism, Secession & Devolution: From Classical to Post-Conflict Federalism." (2010). Available at SSRN: <http://ssrn.com/abstract=1623682>

¹³² Daniel Weinstock, "Towards a normative theory of federalism." *International Social Science Journal* 53, no. 167 (2001): 75-83.

¹³³ Cited in: Liam Anderson, “The non-ethnic regional model of federalism,” In *An Iraq of Its Regions*, ed. Reidar Visser and Gareth Stansfield (New York: Columbia University Press, 2008): p 213. From: Lijphart, Arend “Consociational Democracy.” *World Politics*. Vol. 21, 1969, 207-225

federalism and given the special role of federalism and trust in fragile states, I turn now to a discussion of trust.

Trust and social capital

Trust is an elusive concept. There is in fact a plethora of definitions of trust. Russell Hardin writes that trust “has no essential meaning” and that “it has a variety of meanings that often conflict.”¹³⁴ The definition provided by Mark E Warren serves as a useful starting point. For Warren, trust involves “a judgment to accept vulnerability to the potential ill will of others by granting them discretionary power over some good.”¹³⁵ Trust between two individuals involves Party A relying on the decisions and actions of Party B to reach a particular goal. “Trust” also involves Party A surrendering control over the decisions and actions of Part B, thereby creating a situation of uncertainty. Trust is risky, but it is imperative for carrying on a normal life. Most obviously, relationships characterized by a lack of trust require more extensive monitoring regimes. Such monitoring mechanisms will have transaction costs, thereby reducing benefits to both parties involved in the long-run.¹³⁶ Trust is distinct from cooperation, the latter being simply a willingness of two parties to work together to achieve a common end.

Some scholars make a distinction between “trust” and “reliance.” As Carolyn McLeod argues, we cannot put our trust in inanimate objects. When our alarm clock fails to go off in the morning, our trust has not been betrayed.¹³⁷ Similarly, Patti Lenard argues that we would be

¹³⁴ Russell Hardin, “Do we want trust in government?”, (In *Democracy and Trust*, Ed. Mark Warren, New York: Cambridge University Press, 1999): 24

¹³⁵ Mark E Warren, “Introduction,” In *Democracy and Trust*, Ed. Mark Warren (New York: Cambridge University Press, 1999), 1

¹³⁶ Aaron Hoffman, “The Structural Causes of Trusting Relationships: Why Rivals Do Not Overcome Suspicion Step by Step,” (*Political Science Quarterly*, 122(2), Summer 2007): 289 AND Francis Fukuyama, *Trust*, (New York: Simon and Schuster, 1995): 27

¹³⁷ Carolyn McLeod, “Trust”, *The Stanford Encyclopedia of Philosophy (Spring 2011 Edition)*, Edward N. Zalta (ed.), URL = <<http://plato.stanford.edu/archives/spr2011/entries/trust/>>.

mistaken to say that we put our “trust” in state institutions.¹³⁸ Citizens in a democratic state cannot “trust” that a government institution will or will not act on their behalf. What citizens can do is trust individuals working within the state apparatus, but citizens can only *rely* on institutions to work effectively or justly.

So, trust is about human relations but acknowledging that does not tell us why the concept is important for the functioning of a federal system. Furthermore, even if we accept the argument of Lenard and McLeod that we cannot “trust” political and economic institutions, the reliability or unreliability of institutions may affect the willingness of individuals to trust one another. According to liberal contract theorists, political trust is the willingness of multiple individuals to engage in collective action in a polity. Political trust is therefore generated through the development of predictable and reliable institutions.¹³⁹ Alternatively, political trust may imply the confidence that citizens have in their legislature or government officials. To speculate, in contemporary democratic societies political trust is made possible through mass media (newspapers, 24 hour news cycle, the internet) and by a high literacy rate. Although I may never meet the prime minister, for example, the diverse sources of information allow me to form an opinion of him (I can decide whether or not that individual is trustworthy). These definitions of political trust are not mutually exclusive, so I will assume that political trust means both these things: a willingness to engage in collective action in a polity because of the predictability of institutions **and** because of the perceived trustworthiness of government officials/members of a legislature. As a consequence, political mistrust is an unwillingness or hesitancy of individuals to

¹³⁸ Patti Tamara Lenard, *Trust, Democracy, and Multicultural Challenges*, Pennsylvania: Pennsylvania State Press, 2012.

¹³⁹ Gerald M Mara, “Thucydides and Plato on Democracy and Trust,” (*The Journal of Politics*, 63: 3, Aug 2001): 820

collaborate because institutions are perceived as unreliable or because government officials/politicians seem untrustworthy.¹⁴⁰

Networks of trust¹⁴¹ are not good in of themselves. In fact, some forms of trust enjoy a special relationship to sectarian conflict and to regime type. Scholars make a distinction between particularized trust—implying trust between two individuals in the same group whether they be members of a clan, a tribe, an ethnic group, religious group, linguistic group, or political party—and generalized trust—implying trust between individuals of different groups.¹⁴² As an example, consider *The Moral Basis of a Backward Society* in which Edward Banfield argues that the economic backwardness of certain regions of Italy can be explained by a deeply-entrenched distrust among the citizenry. He refers to this as “amoral familism,” a condition in which individual families regard one another with suspicion and are unwilling to work towards the common good. While Banfield does not use the term, he would appear to be describing “particularized trust” in southern Italy. Trust in such communities was strong between members of the same group but there was a lack of generalized trust.

Networks of trust are a form of social capital,¹⁴³ which is “the collective value of all 'social networks' and the inclinations that arise from these networks to do things for each other.”¹⁴⁴ Scholars such as Robert Putnam and Jane Jacobs tell us that social capital develops when citizens engage with one another at the grassroots level through the forming of associations and non-state organizations. Such interaction generates a “web of public respect and trust.”¹⁴⁵ For Jane Jacobs, social capital is not an end in itself: American neighborhoods with higher levels

¹⁴⁰ Ibid., 820

¹⁴¹ By networks of trust, I mean networks between multiple individuals in which individuals place trust in one another

¹⁴² Eric M Uslaner, “Democracy and Social Capital”, In *Democracy and Trust*, Ed. Mark Warren (New York: Cambridge University Press, 1999): 121-123

¹⁴³ R Hardin, *Trust and Trustworthiness* (New York: Russell Sage Foundation, 2002).

¹⁴⁴ Robert Putnam, “Social Capital Primer,” (*Bowling Alone*, 2013): http://bowlingalone.com/?page_id=13

¹⁴⁵ Jane Jacobs, *The Death and Life of Great American Cities*, (New York: Random House, 1961), p 56

of social capital enjoy lower levels of crime. Social capital also acts as moral resource, generating compliance with norms and unwritten rules.

Now, Sigrid Roßteutscher speculates that authoritarian regimes produce high levels of bonding social capital between citizens but contribute to the reduction of bridging social capital.¹⁴⁶ An authoritarian regime co-opts unions, political parties, and other seemingly non-state actors to generate support for the regime.¹⁴⁷ The nature of these networks of social capital are “thick” and are about “intimate” relationships between individuals. Such is bonding social capital. In a similar vein, Colletta and Cullen point out that the Rwandan genocide was communally bonding for Hutus in that country—that is to say there were strong networks of social capital between Hutus—but that there was a lack of bridging social capital in Rwanda, specifically between Hutus and Tutsis.¹⁴⁸

A lack of bridging social capital may also be problematic for seemingly stable liberal democracies. For example, Charles Tilly observes that associational life in the USA declined after the First World War. Such associations had served narrow interests, such as the mutual aid for immigrants in a particular region, and had served to fragment the American political environment.¹⁴⁹ The reduction of such networks was therefore beneficial for the integration of society and for democratic governance. Such networks of social capital undoubtedly imply networks of particularized trust. For instance, Piotr Sztompka defines two terms: “ghettoization” and “privatized trust.” The former is the construction of communities of individuals of the same group (race, religion, ethnicity, etc.), while latter involves building narrow trust networks

¹⁴⁶Sigrid Roßteutscher, “Social Capital Worldwide: Potential for Democratization or Stabilizer of Authoritarian Rule?” (*American Behavioral Scientist* 53.5, 2010): 753

¹⁴⁷ Ibid: 739-740

¹⁴⁸ Nat J Colletta and Michelle L Cullen, “The Nexus Between Violent Conflict, Social Capital and Social Cohesion: Case Studies from Cambodia and Rwanda,” *The World Bank*, September 2000, accessed May April 21st, 2013, <http://siteresources.worldbank.org/INTSOCIALCAPITAL/Resources/Social-Capital-Initiative-Working-Paper-Series/SCI-WPS-23.pdf> p 14, P 19

¹⁴⁹ Charles Tilly, *Democracy*, (New York: Cambridge University Press, 2007), 85

involving a chosen few. This sounds remarkably similar to Banfield's "amoral familism" and could imply trust between members of a clan or family, or it could imply the "bonding" social capital described earlier. According to Sztompka, the ghettoization of a political community and the privatizing of trust in a community make democratic governance difficult.¹⁵⁰ As we shall see in the next section, certain governance models may in fact contribute to the "ghettoization" or "privatizing" of trust.

So, the presence of bonding social capital networks implies the presence of particularized trust networks and the presence of such particularized trust networks is related to sectarian conflict. Does particularized trust cause sectarian conflict? Or does sectarian conflict foment particularized trust and undermine the development of generalized trust? We should be cautious of asserting a causal link given our paucity of examples. Animosity between Tutsi and Hutu reached a critical point in 1994 but there had already been a history of such distrust before the genocide. Differences between the Tutsi and Hutu—though not invented out of thin air—were aggravated by colonial administrators, leading to radicalization of individuals in both groups.¹⁵¹ In that case, colonial administrators fomented ethnic conflict contributing to the breakdown of generalized trust which in turn contributed to wider ethnic conflict.

How have networks of trust been shaped by federal relations in fragile societies? More specifically, have certain federal arrangements been more effective at generating networks of generalized trust? What arrangements have contributed to the privatization of trust and the ghettoization of communities? Below, I examine how the evolution of federalism in Nigeria and in Ethiopia have served to reduce (or failed to reduce) sectarian tensions in an effort to determine

¹⁵⁰ Piotr Sztompka, "Does Democracy Need Trust, or Distrust, or Both?." In *Transparenz*, pp. 284-291. VS Verlag für Sozialwissenschaften, (2010): 289

¹⁵¹ Mahmood Mamdani, *When victims become killers: Colonialism, nativism, and the genocide in Rwanda*. (New Jersey: Princeton University Press, 2002), see the discussion of the "ten cow rule", p 97-99

lessons-learned for policy-makers in Iraq. I could have selected other states for comparison in this discussion; India and Bosnia-Herzegovina are both heterogeneous societies and the latter especially adopted a federal arrangement to manage societal tensions. For the sake of brevity, I limit myself to the two comparisons. But my justification goes further, as Nigeria and Ethiopia represent stark contrasts: whereas Nigeria's federal system has been designed to reduce the importance of group identities in the political realm, Ethiopia's federal system is designed to recognize the autonomy of ethnic groups, thereby solidifying the importance of group identities in the political realm. Additionally, although Ethiopia is arguably more of a unitary state, its so-called "ethnic federalism" may offer insights on the complexities of resolving ethnic tensions.

Nigeria—Holding-together through territorial federalism

Comparing Nigerian federalism to Iraqi federalism is warranted for a number of reasons. One, Nigeria is an extremely heterogeneous country; within its borders there are nearly 400 linguistic groups and over 300 ethnic groups. As in Iraq, violence sometimes occurs along the fault lines of ethnic, linguistic or religious groups. Second, Nigeria would appear to be an artificial state, implying problems for the creation of a national identity. The geographical area now known as Nigeria was the result of the amalgamation in 1914 of two British colonies. There is thus a perception that "Nigeria is a mere geographical expression."¹⁵² Similarly, one scholar refers to Nigeria a "state-nation," (as opposed to a nation-state), implying that while it was easy

¹⁵² Likely a reference to what Metternich said of Italy. Festus O Egwaikhide et. Al, *Federal Presence in Nigeria : The 'Sung' and 'Unsung' Basis for Ethnic Greivance.* CODESRIA, 2009. Council for the Development of Social Science Research in Africa: p15

to create state institutions it is all the more difficult to create a national identity.¹⁵³ Third, and most importantly, Nigeria would appear to have insufficient state capacity. 60% of Nigerians live in absolute poverty, and the state is unable to provide basic services.¹⁵⁴

Nigeria is a holding-together federation and is an example of a territorial federal arrangement. Early on in the history of the Nigerian state sectarian tensions influenced state policies. Nigeria gained independence from Britain in 1960, but its internal regional borders were the consequence of a 1954 decision to divide the country into the Northern Region, the Western Region, and the Eastern Region. These borders roughly corresponded to the geographical location of the three largest ethnic groups: the Hausa/Fulani, the Yoruba, and the Igbo. It was hoped that granting autonomy to these three ethnic groups would reduce the friction between them. The arrangement ignored the millions of Nigerians who identified with other ethnic or linguistic groups. Additionally, the northern region had within its borders just over half of the population; it received the greatest share of revenue from the central government, raising fears in the other regions that the interests of the north would dominate Nigerian politics. Competition between the regions played out at the central level as political parties appealed to narrow interests.¹⁵⁵

I said earlier that trust in multinational (heterogeneous) societies requires that members of the major groups do not perceive one another as a threat. While Nigerian state-makers may have had such a vision in mind when they drew the borders of 1954, the borders in fact served to increase tensions among Nigerians. The economic clout of the northern region, for instance, bred mistrust between Nigerians. That the system was designed to favour the autonomy of the three

¹⁵³ Uwafiokun Idemudia, "The changing phases of the Niger Delta conflict," *Conflict, Security & Development*, October 2009, 9(3), p, 314

¹⁵⁴ Jonathon Hill, *Nigeria Since Independence: forever fragile?* (New York :Palgrave McMillan, 2012)

¹⁵⁵ Ibid.: 44-45

major ethnic blocs may have frustrated the development of political trust. Though the 1960 constitution included provisions for the protection of minorities,¹⁵⁶ such provisions were in practice not enforced.¹⁵⁷

Leaving aside the question of causality between networks of trust and ethnic conflict, conflict eventually came to Nigeria despite the attempts of state-makers to foster political and generalized trust. In 1967 a region seceded and declared itself the Republic of Biafra. The ensuing civil war lasted until 1970 after which the secessionists were defeated. From that point the number of regions¹⁵⁸ in Nigeria continued to increase: by 1987 there were 19 regions, by 1991 there were 21 regions, and by 1996 there were 30 regions. Today, the region borders do not correspond to sectarian divisions and in some cases deliberately cut across ethnic, religious, or linguistic lines. Minorities have been protected through the creation of regions in which national minorities are majorities within their own regional borders.¹⁵⁹ The evolving federal system has helped to remove sectarianism from the political realm.¹⁶⁰ To succeed at the ballot box, political candidates cannot rely exclusively on their respective ethnic group and must instead appeal to a broad and diverse section of society.¹⁶¹ Ethnic conflict has thus been moved away from the federal government and to the regional governments. This lessens that ability of ethnic conflict to endanger the stability of the entire system.¹⁶² As Liam Anderson writes, territorial federalism

¹⁵⁶ Otiye Igbuzor, "Nigeria's Experience in Managing the Challenges of Ethnic and Religious Diversity Through Constitutional Provisions," *Ethnic Nationalities Council*, Accessed June 8th, 2013, <http://www.encburma.net/index.php/feature/54-feature/166-nigerias-experience-in-managing-the-challenges-of-ethnic-a-religious-diversity-through-constitutional-provisions.html>

¹⁵⁷ Agiri, Babatunde. "The Concept and Practice of Individual Rights in Nigeria, 1950-1966: How Relevant is the American Constitutional Experience?." *American Studies International* 29, no. 2 (1991): 55-68.

¹⁵⁸ What I refer to here as "regions" are actually "states." I use the word region to avoid confusion in my discussion since I am also talking about the capacity of the Nigerian state.

¹⁵⁹ Rotimi Suberu and T Suberu, *Federalism and ethnic conflict in Nigeria*. United States Institute of peace Press, 2001

¹⁶⁰ Jonathon Hill, *Nigeria Since Independence: forever fragile?* (New York :Palgrave McMillan), 2012: 45-48

¹⁶¹ Toyin Cotties Adetiba and Aminur Rahim, "Towards Ethnic Conflict Management in Nigeria: The Adoption of a Multi-party Democracy," *Research on Humanities and Social Sciences* 2, no. 7 (2012): 75-77

¹⁶² Rotimi T Suberu, *Federalism and ethnic conflict in Nigeria*, United States Institute of Peace Press, 2001: 8-10

focuses on displacing the locus of sectarian conflict to the regional level, away from the national level where ethnic conflict could take on symbolic meaning.¹⁶³ In short, the pluralism of territorial federalism ensures that no sectarian group faces permanent exclusion.

Again, presumably such an institutional design will contribute to the development of networks of generalized trust and networks of political trust. Adam Przeworski asks us to imagine the establishment of a democratic regime as a group of players entering a casino. The players decide on a set of rules to follow and they will agree to keep playing even if they lose.¹⁶⁴ In that case, constituents of a democratic regime believe that political institutions—the rules of the game¹⁶⁵—have been designed to be fair and non-discriminatory. How have Nigeria's federal institutions operated in practice?

Nigerian federalism in practice

Nigeria's federalism has not acted as a panacea for ethnic conflict; generalized trust is weak in Nigeria. Most noticeably, the redrawing of borders to cut across sectarian lines has not completely mollified tensions. For example, the Plateau State has been the site of recent sectarian violence between Christian and Muslim communities.¹⁶⁶ Furthermore, the Nigerian constitution has allowed some state governments to discriminate against nationalities. The 1999 Constitution of Nigeria, Section 15(3) stresses that the central government will encourage mobility of persons and that the central government will secure “full residence rights” for all citizens. But section

¹⁶³ Liam Anderson, “Chapter 9: The Non-ethnic regional model of federalism,” (In: *An Iraq of Its Regions? Cornerstones of a Federal Democracy?* Ed. Reidar Visser and Gareth STansfield. New York: Columbia University Press, 2008): 227

¹⁶⁴ Adam Przeworski, “Democracy and Economic Development,” accessed June 3rd, 2013, <http://www.politics.as.nyu.edu/docs/IO/2800/sisson.pdf>

¹⁶⁵ Douglass C North, *Institutions, institutional change and economic performance* (Cambridge university press, 1990): 97

¹⁶⁶ Jonathon Hill, *Nigeria Since Independence: forever fragile?* (New York :Palgrave McMillan, 2012): 56

318(1) defines an “indigene” as someone who was born in a region or whose parents were born in a region. In theory, the Nigerian constitution upholds mobility of persons and equality before the law. In practice, it encourages individuals to identify with the nationality/ethnicity.¹⁶⁷

The weakness of the Nigerian state is undoubtedly at work in fomenting sectarian violence. Specifically, inequality along ethnic, racial, or religious lines may be causally linked to violent political mobilization.¹⁶⁸ For example, the militant group Oodua People’s Congress appeals to people on the grounds of identity. Positive characteristics of the OPC, according to its members, include “oneness” and “togetherness,” implying that some individuals enlist in militant groups to acquire a sense of belonging and security.¹⁶⁹ To speculate, this may also imply a presence of particularized trust networks and a dearth of generalized trust networks.

In conclusion, there are a number of reasons to be sceptical of applying territorial federalism to fragile states. Nigeria evolved in the direction of territorial federalism through the creation of smaller sub-units, thereby reducing the power of the larger sub-units in the state. But doing so may lead to greater centralization because collective action becomes difficult between the growing number of sub-units.¹⁷⁰ The burgeoning of governments may also lead to an increase in graft.¹⁷¹ Finally, even if it is assumed that Nigerian federalism has been a force for stability, a troubling fact needs to be acknowledged: except for in 1963, federal restructuring has been

¹⁶⁷ Festus O Egwaikhide et. Al, *Federal Presence in Nigeria : The ‘Sung’ and ‘Unsung’ Basis for Ethnic Greivance.* CODESRIA, 2009. Council for the Development of Social Science Research in Africa: p17.

¹⁶⁸ Ukoha Ukiwo, "Education, horizontal inequalities and ethnic relations in Nigeria." *International Journal of Educational Development* 27, no. 3 (2007): 266-267

¹⁶⁹ Yvan Guichaoua, "How do ethnic militias perpetuate in Nigeria? A micro-level perspective on the Oodua People’s Congress." *World Development* 38, no. 11 (2010): 1665

¹⁷⁰ Liam Anderson, "The Non-ethnic regional model of federalism" In *An Iraq of Its Regions? Cornerstones of a Federal Democracy?* Ed. Reidar Visser and Gareth STansfield, (New York: Columbia University Press, 2008), 235

¹⁷¹ Jonathon Hill, *Nigeria Since Independence: forever fragile?* (New York :Palgrave McMillan, 2012), 45

carried out under the tutelage of the military and have not been subject to popular approval. Thus the legitimacy of region boundaries is always being called into question.¹⁷²

Ethiopia—Holding together through consociationalism

Ethiopia is a “holding-together” federation. It is also what may be called a “putting-together” federation; as in Nigeria, the arrangement was imposed from above, but in Ethiopia’s case by a narrow elite consensus.¹⁷³ Although some have argued that Ethiopia is more a unitary state than a federation—the central government controls most of the sources of revenue, for example—its governance model nonetheless warrants examination in relation to Iraq. Like Iraq, Ethiopia is a heterogeneous society with some 80 linguistic groups within its borders. Moreover, the creation of the existing Ethiopian federal arrangement was informed by societal tensions along ethnic and religious lines. Unlike Iraq and Nigeria, Ethiopia remained free of colonial and mandate rule for most of the 20th century. While Ethiopia may not be an artificial state, its rulers have nevertheless struggled to create a common identity. According to one scholar, Ethiopia’s history since the end of WWII was defined by a struggle between the forces of centralization and the forces of ethnic groups seeking autonomy.¹⁷⁴

Ethiopian People's Revolutionary Democratic Front (EPRDF), a rebel group, seized power in 1991 and oversaw the adoption in 1994 of a new constitution, recognizing Ethiopia as a federation. Although the federal arrangement does not precisely meet Lijphart’s definition of consociationalism, Ethiopia’s so-called “ethnic federalism” shares with that model a number of

¹⁷² Suberu, Rotimi T Suberu, *Federalism and ethnic conflict in Nigeria*. United States Institute of peace Press, 2001.

¹⁷³ Edmond J Keller and Lahra Smith, “Obstacles to Implementing Territorial Decentralization: The First Decade of Ethiopian Federalism.” *Sustainable Peace: Power and Democracy after Civil Wars*. Editors: Philip G Roeder and Donald Rothchild (Ithaca: Cornell University Press, 2005). P 265-292

¹⁷⁴ Dersso Sloman, *Taking ethno-cultural diversity seriously in constitutional design* (Boston: Martinus Nijhoff Publishers, 2012): 193

important attributes. At least originally, the EPRDF governed along the lines of Lijphart's "grand coalition," as the EPRDF at the drafting of the new constitution was a coalition of former rebel groups.¹⁷⁵ Thus the Ethiopian example is one of power-sharing among elites. In addition, Lijphart's segmental autonomy exists as region borders are drawn to accommodate ethnic and linguistic groups. The Ethiopian system also has a bicameral legislature, called the House of the Federation, in which representation for all nationalities is guaranteed. In short, Ethiopia's constitution explicitly recognizes it as being a multinational society. Above all, the federal arrangement is between the ethnic communities, **not** between individuals.¹⁷⁶

The Ethiopian model recognizes the autonomy of different groups. In theory, keeping ethnic groups separate should ameliorate relations between the major groups. But there is a problem here. In keeping the major ethnic groups separate, are not state-makers discouraging the development of networks of generalized trust? Is not such a policy facilitating the "ghettoization" of trust? And does not the ghettoization of trust, the proliferation of networks of particularized trust, suggest the likelihood of future ethnic strife?

In practice as well as in theory, there are a number of problems with the Ethiopian model. The so-called "nationalities" are not homogenous. For instance, Lovise Aalen examines two ethnic groups in southern Ethiopia, the Sidama and Wolayata. There are in fact competing claims for identity within each of these groups, especially along the lines of social roles. The hadicho (pottery-makers) of the Sidama, have struggled to challenge the wollabicho (free farmers) who

¹⁷⁵ "Democratization and state building in Africa: How compatible are they?" In: State building and democratization in Africa: faith, hope, and realities, edited by Kidane Mengisteab, Cyril Daddieh, Cyril K. Daddieh, (Greenwood Publishing, CL) p 29

¹⁷⁶ Dersso Sloman, *Taking ethno-cultural diversity seriously in constitutional design*. Boston: Martinus Nijhoff Publishers, 2012: 193-197

have tended to dominate affairs among the Sidama.¹⁷⁷ Moreover, the Ethiopian federal arrangement has been unable to provide for the protection of minorities.¹⁷⁸ Minorities in regions face harassment and expulsion from their communities. Although the constitution provides for the protection of minorities and even includes a bill of rights, it is the House of the Federation that is primarily tasked with interpreting and upholding such provisions. This is problematic because the House of the Federation is a political body, not an independent judiciary.¹⁷⁹ As Dersso Sloman puts it, the failure of the federal arrangement to protect minorities “renders them [regional minorities] second-class citizens at best and unwelcome aliens at worst.”¹⁸⁰ Creating equality between ethnic or religious or linguistic groups may be a force for stability but such an arrangement does not create equality between individuals or ensure the upholding of individual rights. Arend Lijphart himself acknowledges a problem with the consociational model of governance: an individual may find his or her group to be “oppressively homogenous.”¹⁸¹

Explicitly recognizing ethnic, religious or linguistic groups may have long-term implications for stability. Article 39 of the Ethiopian constitution recognizes secession as the right of all nations in Ethiopia. This clause solidifies sectarian divisions and invites fragmentation as more groups seek recognition as a nation.¹⁸² More generally, recognition of secession as a “right” could reduce the likelihood of peaceful resolution to societal tensions.¹⁸³ A

¹⁷⁷ Lovise Aalen, *The Politics of Ethnicity in Ethiopia: Actors. Power and Mobilization under Ethnic Federalism*, (Boston: Brill, 2011): 184

¹⁷⁸ Ibid., 193

¹⁷⁹ Dersso Sloman A, *Taking ethno-cultural diversity seriously in constitutional design* (Boston: Martinus Nijhoff Publishers, 2012): 222

¹⁸⁰ Ibid: 114

¹⁸¹ Arend Lijphart, “Consociationalism,” (In: *Introductory Readings in Government and Politics*. Ed. Arend Lijphart. New Haven: Yale University Press, 1995): p 252

¹⁸² Lovise Aalen, *The Politics of Ethnicity in Ethiopia: Actors. Power and Mobilization under Ethnic Federalism*. (Boston: Brill, 2011) AND Dersso Sloman A, *Taking ethno-cultural diversity seriously in constitutional design*. (Boston: Martinus Nijhoff Publishers, 2012)

¹⁸³ Michael Freeman, “The priority of function over structure: a new approach to secession.”) (In: *Theories of Secession*, Ed. Percy Lehning, New York: Routledge, 1998: 12-31

“civic nationalism” becomes impossible. In addition, the federal arrangement does not encourage individuals to associate outside their ethnic group.¹⁸⁴ As demonstrated by the work of Sigrid Roßteutscher, bonding social capital networks consist of “thick” and “intimate” relationships between individuals of the same group. In the Ethiopian model, there would appear to be the presence of such networks of social capital and the presence of networks of particularized trust. By facilitating the development of such networks of trust—perhaps at the expense of networks of generalized trust and bridging social capital—the Ethiopian model may in the long-term experience instability and ethnic strife.

On the other hand, legal scholar Elena A Baylis argues that while granting rights to ethnic groups might intensify disputes, it is possible that ethnic groups could be incentivized to play a constructive and peaceful role in resolving such disputes.¹⁸⁵ Over time, the House of Federation might develop best practices for dispute resolution. Baylis posits that the use of such an institution may eventually come to be seen as a rational procedure rather than as an exercise in hard power. As she puts it: “If ethnic disputes are treated and resolved as ordinary disputes subject to rational procedures, they will eventually be regarded as such.”¹⁸⁶ As it stands, however, the House of the Federation appears to serve the narrow interests of the nations as opposed to upholding constitutional principles such as the protection of minorities.¹⁸⁷

¹⁸⁴ Dersso Sloman A, *Taking ethno-cultural diversity seriously in constitutional design*. Boston: Martinus Nijhoff Publishers, 2012: 218

¹⁸⁵ Elena A Baylis, “Beyond Rights: Legal Process and Ethnic Conflicts” (*Michigan Journal of International Law* 25, 2004): 571

¹⁸⁶ Ibid: 574-575, 576

¹⁸⁷ Dersso Sloman A, *Taking ethno-cultural diversity seriously in constitutional design*, (Boston: Martinus Nijhoff Publishers, 2012): 222

Conclusion

In this chapter I examined the concepts of federalism and trust as applied to fragile states. I began with an overview of the model of federalism and described the various forms of federalism, comparing and contrasting coming together federalism to holding together federalism, territorial federalism to consociationalism, and symmetrical federalism to asymmetrical federalism. I examine the concept of trust and its sister term social capital. Finally, I applied these concepts to Nigeria and Ethiopia. Consociationalism and territorial federalism, it seems, both leave much to be desired in the way of generating networks of generalized trust among the citizenry. Furthermore, political trust also suffers under both models of federalism as citizens do not perceive government institutions as being reliable or as acting in their interests.

What are the implications for Iraq? As a heterogeneous state, Iraq would appear to have a dearth of networks of generalized trust. This is evinced by the sectarianism that was prevalent in Iraq after the invasion and that may return to haunt Iraqis in the near future. As a fragile state, Iraq also suffers from a lack of political trust. In Chapter 1, we saw that when citizens cannot depend on the state to provide basic services such as security, they turn to non-state actors. Given its nature as a heterogeneous and failed state, would Iraqis benefit from the restructuring of federal relations? And are either of the models discussed in the latter half of this chapter, consociationalism and territorial federalism, applicable to Iraq? The answer to both questions may lie with a synthesis of the two models which I discuss in final chapter.

***Chapter 3 – Will restructuring Iraqi federal relations contribute
to resolving sectarian tensions?***

To re-cap, in the previous chapter I posed the question: How can a federal system of government generate political trust and generalized trust among the citizenry? The discussion so far reinforces what determined in chapter 1, that insufficient state capacity creates conditions in which individuals more intensely associate with particular groups. The discussion on trust allows us to elaborate on that hypothesis. The unpredictability or non-reliability of state institutions weakens political trust between citizens and their government. Moreover, the unpredictability or non-reliability of state institutions may weaken networks of trust between citizens.

The weakness of the Nigerian state has encouraged the growth of networks of particularized trust instead of generalized trust. Territorial federalism has thus been a double-edged sword. The drawing of multiple region boundaries across sectarian lines has provided for the longevity of the Nigerian state and politicians have been encouraged to appeal along non-sectarian lines to succeed during elections. Yet sectarian violence continues in some areas, suggesting a paucity of networks of generalized trust. Political trust is also lacking in Nigeria, due, at least in part, to the weakness of the Nigerian state. The inability of the central government to provide basic services for its citizens encourages individuals to identify more strongly with ethnic or linguistic groups and to rely on such groups for security. This suggests the importance of networks of particularized trust in Nigeria.

The Ethiopian federal arrangement, similar to the consociational model of federalism, creates equality between ethnic groups and constitutionally recognizes the autonomy of those groups. At least in theory, such an arrangement creates generalized trust. But the arrangement

solidifies differences between groups and creates an environment that may be oppressive for minorities. Although the Ethiopian constitution includes provisions for the protection of minorities, its enforcement lies with the House of the Federation and not with an impartial court, thus minorities may face discrimination in their communities. Paradoxically, even if we were to believe that the Ethiopian model of explicitly recognizing the autonomy of different groups has facilitated the emergence of generalized trust between the groups, the same model has not done so within the groups, as the presence of discrimination suggests.

These two contrasting forms of federal governance are meant to create social harmony in heterogeneous societies. Territorial federalism, with its goal of pluralism and the breaking down group boundaries, has merit. So too does consociationalism, with its goal of recognizing the autonomy and uniqueness of different groups. What some scholars refer to as “regional federalism” may offer a synthesis of these two forms of federalism. Regional federalism aims to create the pluralism of territorial federalism by drawing internal borders that avoid, though not entirely, matching ethnic, religious, or linguistic boundaries. As Reidar Visser writes, regionalism is an “approach that brings together citizens of a given territory despite other social factors that may set them apart.”¹⁸⁸ For Visser and other proponents of regionalism, cooperation between citizens of differing sects is logical when such citizens reside in the same region. Dividing sects into different regions therefore makes such cooperation less likely. Regional federalism also allows for diversity and in doing so, I would argue, recognizes the autonomy and uniqueness of different groups. This is because in regional federalism there is a diversity among the regions that is based on non-sectarian identities.¹⁸⁹ Regional federalism could therefore develop political trust and generalized trust in the following ways. Generalized trust—

¹⁸⁸ Reidar Visser, “Introduction,” In *An Iraq of Its Regions? Cornerstones of a Federal Democracy?* Ed. Reidar Visser and Gareth Stansfield, (New York: Columbia University Press, 2008), 1

¹⁸⁹ Ibid. 238

specifically networks of trust across ethnic, religious or linguistic groups—could be fostered through the creation of and empowerment of heterogeneous sub-units. Political trust might be generated through the creation of the heterogeneous sub-units because politicians would be incentivized to appeal to the individuals of many ethnic, religious, or linguistic groups, signalling to voters that the state will work in their interests even if the winning candidates are not of their sect. The regions would be empowered by the devolution of power from the central government along territorial lines, what shall herein be referred to as territorial decentralization. As the Nigerian case demonstrates, the creation of regional borders that do not correspond to sectarian groupings removes the locus of sectarian tensions from the national level. Such an arrangement is imperfect and the examination of Nigeria shows that problems of distrust and sectarianism will play a substantial role in any fragile state.

Will restructuring Iraqi federal relations contribute to resolving sectarian tensions? What are the prospects of regionalism being fulfilled in Iraq? Iraq's constitution in fact implicitly recognizes the principles of regionalism.¹⁹⁰ In this section I offer a descriptive analysis of areas of Iraq's constitution have not delivered on regionalism.

How does Iraq's constitution implicitly recognize regionalism? To begin, Iraq is a holding-together federation with asymmetrical properties. It is a holding-together federation because the 2005 constitution devolved power from the central government (Baghdad) to the sub-units (governorates). That the federal system has asymmetrical properties is evinced by the constitutional distinction between regions and governorates; the region of Kurdistan is explicitly recognized as autonomous and governorates can join together to form regions. Though the constitution was designed to recognize the autonomy of different groups, in practice, certain

¹⁹⁰ Reidar Visser, "Introduction," 17

articles of the constitution have not been uniformly enforced to secure the autonomy of the groups.

Article 1 of the constitution recognizes Iraq as a federal and democratic state, and stipulates that the constitution will guarantee the unity of that state. The constitution recognizes Iraq as relying on Islam as the “fundamental source of legislation” (Article 2) with full rights granted to religious minorities, and as being a multinational state (Article 3). The constitution declares that while it is a multinational state, Iraq is fundamentally Arabic in character and that it is part of the Islamic world (Article 3). For our purposes, Section 3 of the constitution is worth examining, in particular Articles 115-125. Article 116 stipulates that Iraq is made of a decentralized capital, governorates, and regions. Article 117 recognizes the autonomy of Kurdistan, which is comprised of the three governorates Dahuk, Arbil, and Sulaymaniyah.¹⁹¹ The governorates do not enjoy the same level of autonomy as the regions and Article 121 outlines the powers granted to regional governments (such as the power to create a regional constitution).

Now, a number of scholars have argued that the constitution actually creates a weak central government. Article 115 gives residual powers to the regions and governorates implying that in a situation where legislation between the central government and the sub-units conflicts, the legislation of the sub-units will be favoured. More importantly, Article 119 would appear to negate Article 1.¹⁹² Whereas Article 1 declares that the constitution will guarantee the unity of Iraq, Article 119 declares the **right** of all governorates to join together to form regions. For governorates to form a region there must be support from one tenth of the voters in each of the

¹⁹¹ Frank Gunter, *The Political Economy of Iraq*, Electronic Book. Edward Elgar Publishing: p 2

¹⁹² Saad Naji Jawad & Sawsan Ismail al-Assaf, “The Empowerment of Governorates in Iraq,” *Al-Jazeera*, July 2nd 2012, accessed June 1st, 2013
<http://studies.aljazeera.net/en/reports/2012/06/201262772222186732.htm>

governorates concerned or support from one third of the council members in each of the governorates concerned.

In theory, the creation of regional governments could result in a loss of power for the central government. Such territorial decentralization could lead to a downward spiral of secession as ethnic, religious, and linguistic groups clamour for independence.¹⁹³ Recognition of such a right was found to be potentially, although not absolutely, destabilizing in the case of Ethiopia. On the other hand, territorial decentralization might also lead to greater stability by assuaging the concerns of minority communities. Consider that the Minister Maliki has publicly declared his opposition to greater devolution of political power from Baghdad and that he has equated federalism with partition.¹⁹⁴ Large numbers of the Sunni community have accused Maliki's government of serving the interests of the Shi'a while neglecting their own concerns.¹⁹⁵ Maliki ought to consider that in a heterogeneous society such as Iraq the majoritarian group could offer support for territorial decentralization to mollify the anxieties of the minority group. Doing so, as Rothchild and Lake argue, "reveals information about the moderate intentions of the majority."¹⁹⁶ Thus, when majoritarian political elites pledge support for territorial decentralization, minorities perceive that act as a signal that the majority is willing to compromise and, with regard to political trust, that the state is not acting against the interests of the minority. But territorial decentralization is further complicated by what Rothchild and Lake call the transient majority problem: what is to stop the majority from later reneging on the

¹⁹³ David A Lake and Donald Rothchild, "Territorial Decentralization and Civil War Settlements," (*Sustainable Peace: Power and Democracy after Civil Wars*. Editors: Philip G Roeder and Donald Rothchild. Ithaca: Cornell University Press, 2005): 115

¹⁹⁴ Wladimir Van Wilgenburg, "Iraq Moving Towards Federalism." Rudaw. March 20th, 2013. <http://rudaw.net/english/kurdistan/200320131> Accessed May 25th, 2013

¹⁹⁵ Patrick Markey and Suahdad al-Salhy, "Tens of Thousands of Sunnis rally against maliki," (*Reuters*, January 11th, 2013): <http://www.reuters.com/article/2013/01/11/us-iraq-protests-idUSBRE90A0L320130111>

¹⁹⁶ David Lake and Donald A. Rothchild, "Territorial Decentralization and Civil War Settlements" (*Sustainable Peace: Power and Democracy after Civil Wars*. Editors: Philip G Roeder and Donald Rothchild. Ithaca: Cornell University Press, 2005). 128

commitment to decentralization? If there is a perception of such a problem, minorities will seek outright secession.¹⁹⁷

In short, territorial decentralization might lead to the creation of political trust. As of 2012, less than 30% of Sunnis express trust in the government while nearly 60% of Shia expressed trust in the government.¹⁹⁸ This should come as no surprise as I have already pointed out that there is a perception among Sunnis that the current regime is not acting in their interests. But even if territorial decentralization were to take place, Iraq is still a fragile state, unable to provide basic services for the majority of its citizens.¹⁹⁹ While in theory decentralization could lead to the improvement of public services,^{200 201} as I pointed out in chapter 2 the proliferation of levels of government could lead to more graft and, consequently, an erosion of political trust.

The constitution does not make it difficult for governorates to join together to form regions,²⁰² but in practice the Iraqi parliament has required that petitions to gain regional status must be referred to parliament; Prime Minister Maliki has worked to block such referrals to parliament.²⁰³ Moreover, although the Kurdistan Regional Government exercises substantive control over its governorates it is in some ways dependent on the central government. 95% of Iraq's budget is provided by oil wealth and at least 80% of the revenue from oil ends up in the

¹⁹⁷ Ibid: 128

¹⁹⁸ Michael Hoffman, "Iraq Report," (Arab Barometer, Princeton University) <http://www.arabbarometer.org/reports/countryreports/iraqIireport.pdf>

¹⁹⁹ RT Network, "Iraq in Ruins," (May 17th, 2013): <http://rt.com/news/iraq-poverty-war-crisis-414/>

²⁰⁰ David Lake and Donald A. Rothchild, "Territorial Decentralization and Civil War Settlements" (*Sustainable Peace: Power and Democracy after Civil Wars*. Editors: Philip G Roeder and Donald Rothchild. Ithaca: Cornell University Press, 2005): 122

²⁰¹ More generally, see Charles M Tiebout, "An economic theory of fiscal decentralization," (In *Public finances: Needs, sources, and utilization*, Princeton University Press, 1961): pp. 79-96.

²⁰² Haider Hamoudi, "Thinking Beyond the Original Bargain: Post Ratification Constitution Making and the Case of Iraq." In *APSA 2012 Annual Meeting Paper*. 2012.

²⁰³ Saad Naji Jawad & Sawsan Ismail al-Assaf, "The Empowerment of Governorates in Iraq," Al-Jazeera, July 2nd 2012, accessed June 1st, 2013 <http://studies.aljazeera.net/en/reports/2012/06/201262772222186732.htm>

coffers of Baghdad; the KRG maintains that Baghdad has yet to provide Erbil with its fair share of the budget.²⁰⁴

In practice, the constitution has not allowed for a flourishing of diversity, something which was identified as being one element of regional federalism. Article 125 guarantees “the administrative, political, cultural, and educational rights of the various nationalities, such as Turkomen, Chaldeans, Assyrians, and all other constituents, and this shall be regulated by law.” In practice, Article 125 is not uniformly enforced²⁰⁵ and non-Muslims are disproportionately victims of violence.²⁰⁶ Article 125 is therefore an “empty promise.”²⁰⁷ Kirkuk represents an important point of discussion on enforcement of Article 125. Kirkuk has been called a “microcosm” of unresolved issues on disputed territory, administration, and control over oil and gas.²⁰⁸ The city of Kirkuk has also been called the “Jerusalem” of the Kurds and the governorate contains 15% of Iraq’s oil.²⁰⁹ It is one of the territories under dispute between the KRG in Erbil and the central government in Baghdad, and ongoing tensions between Turkomen, Christians, Shi’ites and Sunnis suggests that Kirkuk could be a flashpoint between Erbil and Baghdad.²¹⁰

Local leaders in Kirkuk are often brushed aside by political elites in Erbil and Baghdad, thus Hanauer and Miller at the Rand Institute argue that empowerment of local leaders who are representative of their constituents could help focus the political debate on concrete issues and move the debate away from “intractable nationalistic imperatives.”²¹¹ As in Nigeria,

²⁰⁴ Simon Atkison, “Kurdish oil exports,” (BBC, March 19th, 2013): <http://www.bbc.co.uk/news/business-21793783>

²⁰⁵ <http://lawandhumanrights.org/documents/minorityprotectioniniraqarticle125.pdf>

²⁰⁶ Paul A Issac, “Urgent Reawakening of the Assyrian Question in an Emerging Iraqi Federalism: The Self-Determination of the Assyrian People, The.” N. Ill. UL Rev. 29 (2008): 213

²⁰⁷ Paul A Issac, “Urgent Reawakening of the Assyrian Question in an Emerging Iraqi Federalism: The Self-Determination of the Assyrian People, The.” N. Ill. UL Rev. 29 (2008): 236

²⁰⁸ Larry Hanauer and Laurel E Miller, *Resolving Kirkuk: Lessons Learned from Settlements of Earlier Ethno-Territorial Conflicts* (Rand National Defense Research Institute. Sant Monica, CA: Rand corporation, 2012)

²⁰⁹ Kerim Yildiz, *The Future of Kurdistan: The Iraqi Dilemma*, (New York: Pluto Press, 2012): 15

²¹⁰ Ibid.

²¹¹ Ibid: xii

transplanting issues from the national discourse to the local discourse can help stabilize the system since at the national level ethnic, religious and linguistic tensions take on symbolic meaning. The empowerment of local leaders could contribute to facilitating networks of trust to allow for peaceful co-existence. Currently, individuals in Kirkuk interact in what Rydgren and Sofi call separate “catnets” (category networks) of social capital.²¹² Over time, interaction of individuals at the workplace and in community organizations could foster inter-communal and interethnic ties²¹³ through the promotion of regular interaction of individuals from different groups. The work of Robert Axelrod also suggests that iterated interaction between two hostile groups could also lead to the reduction of violence.²¹⁴

²¹² Jens Rydgren and Dana Sofi, “Interethnic relations in Northern Iraq: Brokerage, social capital and the potential for reconciliation,” (*International Sociology*, January 201, 26.1): 25-49

²¹³ Ibid: xi

²¹⁴ Robert Axelrod, *The Evolution of Cooperation*. His chapter on The Live and Let Live System in Trench Warfare in World War 1 discusses the apparent cooperation between soldiers on opposing side of no-man’s land.

Conclusion

In this paper I have sought to answer three questions. First, what are the origins of sectarianism in Iraq? I showed that the cycle of violence after the invasion was not inexorably driven by the artificial and heterogeneous nature of the Iraqi state. While a common identity has sometimes been difficult to place in Iraqi history, the sectarianism in Iraq was caused by the weakness of the state and by the exclusionary regime practices after the invasion.

Second, how does a federal system generate trust among the citizenry? I provided an overview of federalism, comparing and contrasting holding together federations to coming together federations, consociationalism to territorial federalism, and asymmetrical federalism to symmetrical federalism. Then I examined the concept of trust and its related concept social capital. I described the various forms of trust and social capital, including particularized and generalized trust, and bridging and bonding social capital, and I examined the apparent relationship between such forms of trust and social capital and ethnic strife. I proceeded to apply the concepts of trust and federalism to the modern political history of Ethiopia and Nigeria. Both are heterogeneous states and political elites of both countries have struggled to generate a common identity, a “civic nationalism.” While Ethiopia uses a model similar to the consociational model to mitigate ethnic divisions, Nigeria uses the territorial model for the same purpose. Both models were found wanting in the way of ameliorating relations between the major groups.

Third, will restructuring Iraqi federal relations contribute to resolving sectarian tensions? I identified the concept of regional federalism and defined it as a synthesis of consociationalism and territorial federalism. I examined the articles of Iraq’s constitution pertaining to federalism and to the treatment of minorities. The Iraqi constitution is implicitly a regional federal model

but in practice has not upheld the rights of minorities or allowed for a greater devolution of power from the central government. The actual upholding of certain constitutional provisions, Article 125 and Article 119 for example, could aid in resolving sectarian tensions.

But what is the likelihood of federal relations being restructured? For a peaceful settlement to emerge between two or more parties, leaders of the conflicting parties must perceive that they are in a situation in which neither can defeat the other and that an impending catastrophe will harm them both if no settlement is reached. Thus the timing must be “ripe” for peace.²¹⁵ This is what Zartman calls the “mutually-hurting stalemate.” What ended the civil war of 2006-2008 may have been the recognition of such a situation, as some commentators have argued that the reduction in violence had more to do with fatigue from violence than with prudential leadership.^{216 217} As of today, it would appear that Iraqi political elites have yet to perceive a mutually-hurting stalemate. Maliki, who has condemned federalism, is unlikely to pursue a policy of restructuring federal relations and he continues to enjoy the support of Tehran and Washington.^{218 219}

To put pressure on Maliki, Washington could shift its support from the central government to the KRG, although some analysts worry that doing so could lead to the break-up of Iraq. On the other hand, supporting Erbil would undermine Iran while benefiting Turkey²²⁰ and would also mean supporting a government with a greater commitment to liberal

²¹⁵ I William Zartman, “The Timing of Peace Initiatives.” *The Global Review of Ethnopolitics*, Vol. 1, no. 1, September 2001.

http://www.peacemaker.un.org/sites/peacemaker.un.org/files/TimingofPeaceInitiatives_Zartman2001.pdf

²¹⁶ Sarah Leah Whitson, “How Baghdad Fuels Iraq’s Sectarian Fire,” (*New York Times*, May 15th, 2013): http://www.nytimes.com/2013/05/16/opinion/global/how-baghdad-fuels-iraqs-sectarian-fire.html?pagewanted=all&_r=0

²¹⁷ Frank Gunter, *The Political Economy of Iraq: Restoring Balance in a post-conflict society*. Chetlenham, Edward Elgar Publishing Ltd., 2013): p 3-5

²¹⁸ Toby Dodge, *Iraq: From war to a new authoritarianism*. The International Institute for Strategic Studies. New York: Routledge, 2012): 208

²¹⁹ Dov Friedman, “Stop Favouring Baghdad over Erbil,” (*The National Interest*, May 1st, 2013): <http://nationalinterest.org/commentary/stop-favoring-baghdad-over-erbil-8413>

²²⁰ Ibid.

democracy.²²¹ Critics might point out that it is against Turkish interests to have a more autonomous Kurdistan, given its own problems with the Kurds. That might be true if we conceive of the state in the realist sense, as a unitary actor. If, on the other hand, we conceive of the state in more liberal terms, as being made up of a multitude of societal actors²²², then in some ways Turkey could benefit from a more autonomous Kurdistan. Finally, I have neglected to discuss the ongoing conflict in Syria and its effect on Iraqi sectarian tensions. In fact, the sectarian tensions in Syria are fuelling growing animosity in Iraq. How and when that civil war is resolved will affect the future stability of Iraq.²²³

²²¹ Ibid.

²²² Andrew Moravcsik, "Taking preferences seriously: A liberal theory of international politics," (International organization 51, no. 04, 1997): 513-553.

²²³ Hayeder Al-Kohei, "Syria: The View from Iraq," European Council on Foreign Relations, June 14th, 2013, accessed June 20th, 2013 http://ecfr.eu/content/entry/commentary_syria_the_view_from_iraq136

Bibliography

Aalen, Lovise. *The Politics of Ethnicity in Ethiopia: Actors. Power and Mobilization under Ethnic Federalism*. Boston: Brill, 2011

Abdullah, Thabit. *A Short History of Iraq*. 2nd edition,. Toronto: Pearson, 2011: 90-95

[Abdul-Ahad](#), Ghaith “Six years after Saddam Hussein, Nouri Al-Maliki tightens his grip on Iraq.” *The Guardian*, April 30, 2009. Accessed May 29th, 2013, www.guardian.co.uk/world/2009/apr/30/iraqi-prime-minister-maliki

Adetiba, Toyin Cotties and Aminur Rahim. "Towards Ethnic Conflict Management in Nigeria: The Adoption of a Multi-party Democracy." *Research on Humanities and Social Sciences* 2, no. 7 (2012): 75-77

Ahmad, Mahmood. “Divide and Rule: The Hidden Conflict in Iraq.” *Dialogue* 2 (4). 2007

Alaadin, Ranj “The Iraqi government’s patchwork alliance may struggle to survive.” *The Guardian*. December 24 2010, accessed June 16th, 2013 <http://www.guardian.co.uk/commentisfree/2010/dec/24/iraq-government-maliki>

Al-Kohei, Hayeder. “Syria: The View from Iraq,” European Council on Foreign Relations, June 14th, 2013, accessed June 20th, 2013 http://ecfr.eu/content/entry/commentary_syria_the_view_from_iraq136

Alkadiri, Raad. "Oil and the Question of Federalism in Iraq." *International Affairs* 86, no. 6 (2010): 1315-1328.

Allawi, Ayad. Al-Nujafi, Osama. Al-Essawi, Rafe. “How to Save Iraq from Civil War.” *The New York Times*. December 27, 2011, accessed June 16th, 2013 http://www.nytimes.com/2011/12/28/opinion/how-to-save-iraq-from-civil-war.html?_r=4

Al-Qarawee , Harith “The Rise of Sunni Identity in Iraq.” *The National Interest*. April 5th, 2013. Accessed May 1st, 2013 <http://nationalinterest.org/commentary/sunni-identitys-rise-iraq-8314>

Agiri, Babatunde. "The Concept and Practice of Individual Rights in Nigeria, 1950-1966: How Relevant is the American Constitutional Experience?." *American Studies International* 29, no. 2 (1991): 55-68.

Anderson, Benedict. *Imagined Communities: Reflections on the origins and spread of nationalism*. Revised and extended edition. London: Verso, 1991.

Anderson, Liam. Stansfield, Gareth. *Crisis in Kirkuk: The Ethnopolitics of Conflict and Compromise*, Philadelphia: University of Pennsylvania Press, 2009.

Anderson, Liam. "The Non-ethnic regional model of federalism." *An Iraq of Its Regions? Cornerstones of a Federal Democracy?* Ed. Reidar Visser and Gareth STansfield. New York: Columbia University Press, 2008: 205-256

Atkison, Simon. "Kurdish oil exports." BBC. March 19th, 2013
<http://www.bbc.co.uk/news/business-21793783>
<http://lawandhumanrights.org/documents/minorityprotectiuonsiniraqarticle125.pdf>

Axelrod, Robert. *The Evolution of Cooperation*. 1984

Baylis, Elena A. "Beyond Rights: Legal Process and Ethnic Conflicts." *Michigan Journal of International Law* 25, 2004.

Beckman, Ludvig. "Democratization and inclusion." *Routledge Handbook of Democratization*. Ed. Jeffery Haynes. New York: Routledge Taylor Francis Group, 2012. 161-74

Benomar, Jamal. "Constitution-making after conflict: Lessons for Iraq." *Journal of Democracy* 15, no. 2 (2004): 81-95.

Bremmer III, Paul "How I didn't Dismantle Iraq's Army." *The New York Times*, September 6th, 2007. Accessed June 23rd, 2013
<http://www.nytimes.com/2007/09/06/opinion/06bremer.html?ex=1346817600&en=278710834dcd1971&ei=5124&partner=permalink&exprod=permalink>

Burns, John F. "To Halt Abuses." *New York Times*, December 14th 2005, accessed June 21st, 2013,
<http://www.nytimes.com/2005/12/14/international/middleeast/14abuse.html?pagewanted=print&r=0>

Choudhry, Sujit and Hume, Nathan. "Federalism, Secession & Devolution: From Classical to Post-Conflict Federalism" (2010). RESEARCH HANDBOOK ON COMPARATIVE CONSTITUTIONAL LAW. Tom Ginsburg, Rosalind Dixon, eds., 2010 . Available at SSRN: <http://ssrn.com/abstract=1623682>

Choudhry, Sujit "Does the World Need More Canada? The Politics of the Canadian Model in Constitutional Politics and Political Theory" *International Journal of Constitutional Law* 5 (2007): 606-638

CIA. "The World Factbook: Iraq." *Central Intelligence Agency*.
<https://www.cia.gov/library/publications/the-world-factbook/geos/iz.html>

Collier, Paul. "Doing Well out of War "for Conference on Economic Agendas in Civil Wars." London, April (1999): 26-27

Colletta Nat J and Michelle L Cullen. "The Nexus Between Violent Conflict, Social Capital and Social Cohesion: Case Studies from Cambodia and Rwanda." *The World Bank*. September 2000. Accessed May April 21st, 2013,

<http://siteresources.worldbank.org/INTSOCIALCAPITAL/Resources/Social-Capital-Initiative-Working-Paper-Series/SCI-WPS-23.pdf>

Cordesman, Anthony H. and Sam Khazai. "Patterns of Violence in Iraq." *Centre for Strategic and International Studies*, October 24th, 2013, accessed April 30th, 2013

http://csis.org/files/publication/121024_Iraq_Violence.pdf

Deschouwe, Kris. "Ethnic structure, inequality and governance of the public sector in Belgium." *United Nations Research Institute for Social Development*, January 2004, accessed May 20th, 2013

[http://www.unrisd.org/UNRISD/website/document.nsf/ab82a6805797760f80256b4f005da1ab/ec506a59176be044c1256e9e003077c3/\\$FILE/Deschou.pdf](http://www.unrisd.org/UNRISD/website/document.nsf/ab82a6805797760f80256b4f005da1ab/ec506a59176be044c1256e9e003077c3/$FILE/Deschou.pdf)

Diamond, Larry Jay. "Lessons from Iraq." *Journal of Democracy* 16, no. 1 (2005): 9-23.

Dobbins, James, John G. McGinn, Keith Crane, Seth G. Jones, Rollie Lal, Andrew Rathmell, Rachel M. Swanger and Anga R. Timilsina. *America's Role in Nation-Building: From Germany to Iraq*. Santa Monica, CA: RAND Corporation, 2003.

http://www.rand.org/pubs/monograph_reports/MR1753. Also available in print form.

Dodge, Toby *Inventing Iraq: The Failure of Nation Building and a History Denied*. New York: Columbia University Press, 2003.

Dodge, Toby *Iraq: From war to a new authoritarianism*. The International Institute for Strategic Studies. New York, Routledge, 2012.

Dodge, Toby. "From Regime change to civil war: violence in post-invasion Iraq." *The Peace in Between: Post-war Violence and Peacebuilding*. Ed. Astrie Suhrke. Mats Berdal. New York: Routledge, 2012

Dodge, Toby "State and society in Iraq ten years after regime change: the rise of a new authoritarianism." *International Affairs* 89, no. 2 (2013): 241-257

Education Scotland. "What is Sectarianism?", *Education Scotlan*. Accessed May 29th, 2013.

<http://www.educationscotland.gov.uk/supportinglearners/positivelearningenvironments/inclusionandequality/challengingsectarianism/about/index.asp>

Egwaikhide, Festus O., Victor A. Isumonah, and Olumide S. Ayodele. *Federal Presence in Nigeria, the Sung: The'Sung'and'Unsung'Basis for Ethnic Grievance*. Codesria, 2009.

Eland, Ivan. *Partitioning For Peace: An Exist Strategy of Iraq*. Oakland, CA: The Independent Institute , 2009

Fearon, James D. Laitin, David D. "Ethnicity, insurgency, and civil war." *American political science review* 97.1 (2003): 75-90.

Freedom House. "Methodology." *Freedom House*. 2012 Accessed June 23rd, 2013
<http://www.freedomhouse.org/report/freedom-world-2012/methodology>

Føllesdal, Andreas, "Federalism", *The Stanford Encyclopedia of Philosophy* (Spring 2010 Edition), Edward N. Zalta (ed.), URL =
<<http://plato.stanford.edu/archives/spr2010/entries/federalism/>>.

Forum of Federations. "Forum of Federations—Federalism." "Forum of Federations – Federalism," *The Forum of Federations*.
<http://www.google.ca/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&cad=rja&ved=0CDAQFjAB&url=http%3A%2F%2Fwww.forumfed.org%2Fen%2Ffederalism%2F&ei=eErYUaXwDMa5rQHa7YDYCg&usq=AFQjCNHkvA1agK4oNq8S7CoP3w09KA4Saw&bvm=bv.48705608,d.aWM> Accessed July 7th, 2013

Freeman, Michael. "The priority of function over structure: a new approach to secession." *Theories of Secession*, Ed. Percy Lehning, New York: Routledge, 1998. 12-31

Friedman, Dov. "Stop Favouring Baghdad over Erbil." *The National Interest*, May 1st, 2013
<http://nationalinterest.org/commentary/stop-favoring-baghdad-over-erbil-8413>

Fukuyama, Francis. *Trust*. New York: Simon and Schuster, 1995

Ghani, Ashraf. *Closing the sovereignty gap: an approach to state-building*. Overseas Development Institute (ODI), 2009.

Gordon Michael R. Trainor, Bernard E. *The Endgame: The Inside Story of the Struggle for Iraq, From George W Bush to Barack Obama*. New York: Pantheon Books, 2012.

Gunter, Frank. *The Political Economy of Iraq*. Electronic Book. Edward Elgar Publishing, 2012.

Gelb, Leslie. "The Three-State Solution." *New York Times*. November 25th, 2003. Accessed June 23rd, 2013. <http://www.nytimes.com/2003/11/25/opinion/the-three-state-solution.html>

George, Anderson. *Federalism: An Introduction*. Toronto: Oxford University Press, 2008

Gilbert, Paul. "Communities real and imagined: good and bad cases for national secession." *Theories of Secession*. Ed. Percy Lehning, New York: Routledge, 1998: 210-211

Gordon, Michael. "Fateful Choice on Iraqi Army Bypassed Debate." *New York Times*, March 17th, 2008. Accessed June 23rd, 2013.
<http://www.nytimes.com/2008/03/17/world/middleeast/17bremer.html?pagewanted=3&fta=y>

Government of Belgium. "Belgium: a federal state." *Belgium.de*, accessed May 20th, 2013
http://www.belgium.be/en/about_belgium/government/federale_staat/

Guichaoua, Yvan, "How do ethnic militias perpetuate in Nigeria? A micro-level perspective on the Oodua People's Congress." *World Development* 38, no. 11 (2010): 1665

Gwertzman, Bernard "Iraq: A Compromise PM?" *Council of Foreign Relations*, April 29th, 2010, accessed June 16th, 2013, <http://www.cfr.org/iraq/iraq-compromise-pm/p22015>

Hardin, Russell. "Do we want trust in government?" *Democracy and Trust*. Ed. Mark Warren, New York: Cambridge University Press, 1999

Hardin, Russell. *Trust and Trustworthiness*. New York: Russell Sage Foundation, 2002

Hamoudi, Haider. "Thinking Beyond the Original Bargain: Post Ratification Constitution Making and the Case of Iraq." *APSA 2012 Annual Meeting Paper*. 2012.

Hashim, Ahmed. *Insurgency and Counter-insurgency in Iran*. London: Cornwell University Press, 2006

Hill, Jonathon. *Nigeria Since Independence: forever fragile?* New York :Palgrave McMillan, 2012

Hilterman, Jooste. Sean Kane, Raad Alkadiri. "Iraq's Federalism Quandary," *International Crisis Group*. February 28th, 2012, <http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/iraq/op-eds/hiltermann-iraqs-federalism-quandary.aspx>

Hoffman, Aaron. "The Structural Causes of Trusting Relationships: Why Rivals Do Not Overcome Suspicion Step by Step." *Political Science Quarterly*, 122(2), Summer 2007: 287-312

Hoffman, Michael. "Iraq Report." *Arab Barometer*. Princeton University, 2012.
<http://www.arabbarometer.org/reports/countryreports/iraqIIreport.pdf>

Howards, Michael. "Main Sunni party pulls out of Iraqi election." *The Guardian*. December 28th, 2004. Accessed May 30th, 2013
<http://www.guardian.co.uk/world/2004/dec/28/iraq.michaelhoward>

Idemudia, Uwafiokun. "The changing phases of the Niger Delta conflict: implications for conflict escalation and the return of peace: Analysis." *Conflict, Security & Development* 9, no. 3 (2009): 307-331.

Igbuzor, Otiwe "Nigeria's Experience in Managing the Challenges of Ethnic and Religious Diversity Through Constitutional Provisions," *Ethnic Nationalities Council*, Accessed June 8th, 2013, <http://www.encburma.net/index.php/feature/54-feature/166-nigerias-experience-in-managing-the-challenges-of-ethnic-a-religious-diversity-through-constitutional-provisions.html>

- International Crisis Group. "Unmaking Iraq: A Constitutional Process Gone Awry," *International Crisis Group*, September 26th, 2005, accessed May 25th, 2013 <http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/iraq/B019-unmaking-iraq-a-constitutional-process-gone-awry>
- Iraq Body Count. "The War in Iraq: 10 Years and counting." *Iraq Body Count*. March 19th, 2013. Accessed May 30th, 2013, <http://www.iraqbodycount.org/analysis/numbers/ten-years/>
- Issac, Paul A. "Urgent Reawakening of the Assyrian Question in an Emerging Iraqi Federalism: The Self-Determination of the Assyrian People, The." *N. Ill. UL Rev.* 29 (2008): 213
- Jackson, Alex M and Maidson Jones, Ed. *Iraq After Saddam Hussein: Facing Challenges, Securing Gains*. New York: Nova Science Publishers, 2012
- Jacobs, Jane. *The Death and Life of Great American Cities*. New York: Random House, 1961
- Jawad, Saad Naji & Sawsan Ismail al-Assaf. "The Empowerment of Governorates in Iraq." *Al-Jazeera*. July 2nd 2012, accessed June 1st, 2013 <http://studies.aljazeera.net/en/reports/2012/06/201262772222186732.htm>
- Kaldor, Mary "The Paradox of Basra." *Open Democracy*. January 13th, 2009. Accessed June 16th, 2013 <http://www.opendemocracy.net/article/email/kaldor-in-basra>
- Kaplan, Robert. "We Can't Force Democracy." *Washington Post*, March 2nd, 2006. Accessed April 30th, 2013. www.washingtonpost.com/wp-dyn/content/article/2006/03/01/AR2006030101937.html
- Kaufmann, Chaim. "Possible and impossible solutions to ethnic civil wars." *International security* 20, no. 4 (1996): 136-175.
- Keller, Edmond J and Lahra Smith. "Obstacles to Implementing Territorial Decentralization: The First Decade of Ethiopian Federalism." *Sustainable Peace: Power and Democracy after Civil Wars*. Editors: Philip G Roeder and Donald Rothchild. Ithaca: Cornell University Press, 2005: 265-292
- Kirmanj, Sherko *Identity and Nation in Iraq*. London: Lynne Rienner Publishers, 2013
- Kukis, Mark. *Voices From Iraq: A People's History, 2003-2009*. (New York: Columbia university Press, 2011
- Hanauer, Larry and Laurel E Miller., *Resolving Kirkuk: Lessons Learned from Settlements of Earlier Ethno-Territorial Conflicts*. Rand National Defense Research Institute. Sant Monica, CA: Rand corporation, 2012

Lake, David A and Donald Rothchild. "Territorial Decentralization and Civil War Settlements." *Sustainable Peace: Power and Democracy after Civil Wars*. Editors: Philip G Roeder and Donald Rothchild. Ithaca: Cornell University Press, 2005. 109-132

Lijphart, Arend. "Consociational democracy." *World politics* 21, no. 2 (1969): 207-225

Lijphart, Arend. "Constitutional design for divided societies." *Journal of democracy* 15, no. 2 (2004): 96-109

Lijphart, Arend. "Consociationalism." *Introductory Readings in Government and Politics*. Ed. Arend Lijphart. New Haven: Yale University Press, 1995

MacMillan, Margaret. *Paris 1919: Six Months that Changed the World*. Toronto: Random House, 2003

Mamdani, Mahmood. *When victims become killers: Colonialism, nativism, and the genocide in Rwanda*. New Jersey: Princeton University Press, 2002

Mansfield, Edward D. Snyder, Jack. *Electing To Fight: Why Emerging Democracies Go to War*. Cambridge: MIT Press, 2005.

Mara, Gerald M. "Thucydides and Plato on democracy and trust." *Journal of Politics* 63, no. 3 (2001): 820-845.

Marcus, Jonathon. "Analysis: Do Economic Sanctions Work?" *BBC News*, July 26th, 2010. Accessed May 20th, 2013 <http://www.bbc.co.uk/news/world-middle-east-10742109>

Markey, Patrick and Suahdad al-Salhy, "Tens of Thousands of Sunnis rally against maliki," *Reuters*. January 11th, 2013. Accessed June 20th, 2013 <http://www.reuters.com/article/2013/01/11/us-iraq-protests-idUSBRE90A0L320130111>

Marr, Phebe. *The Modern History of Iraq*. 3rd edition. Boulder, CO: Westview Press, 2012.

McLeod, Carolyn. "Trust." *The Stanford Encyclopedia of Philosophy (Spring 2011 Edition)*, Edward N. Zalta (ed.), URL = <<http://plato.stanford.edu/archives/spr2011/entries/trust/>>.

McVeigh, Robbie. Rolston, Bill. "From Good Friday to Good Relations: sectarianism, racism and the Northern Ireland state," (*Race and Class*, 48:4, 2007). 1-23

Mengisteab, Kidane. "Democratization and state building in Africa: How compatible are they?" In: *State building and democratization in Africa: faith, hope, and realities*, edited by Kidane Mengisteab, Cyril Daddieh, Cyril K. Daddieh. CL: Greenwood Publishing, 21-40

Moravcsik, Andrew. "Taking preferences seriously: A liberal theory of international politics," (*International organization* 51, no. 04, 1997: 513-553.

Morgan, Oliver. ,“US Arms Trader to Run Iraq.” *The Guardian*, March 30th, 2003. Accessed May 20th, 2013, <http://www.guardian.co.uk/business/2003/mar/30/iraq.globalisation>

Myers, Steven Lee.“Candidates to Stay off Ballot in Iraq.” *New York Times*, 2010, February 14, P A19

North, Douglass C *Institutions, institutional change and economic performance*. Cambridge university press, 1990

Organization for Economic Cooperation and Development . “About the Fragile States Principles,” *Organization for Economic Cooperation and Development*, accessed May 25th, 2013 <http://www.oecd.org/countries/afghanistan/aboutthefragilestatesprinciples.htm>

PBS., “Interview: James Dobbin.” *Public Broadcasting Service*. <http://www.pbs.org/wgbh/pages/frontline/yeariniraq/interviews/dobbins.html> October 17th, 2006. Accessed June 19th, 2013.

Potter, Lawrence G. Sick, Gary. *Iran, Iraq, and the Legacies of War*. New York: Palgrave Macmillan, 2004.

Paris, Roland. "Peacebuilding and the limits of liberal internationalism." *International security* 22, no. 2 (1997): 54-89.

Pfiffner, James P "US Blunders in Iraq: De-Baathification and Disbanding the Army." *Intelligence and National Security* 25, no. 1 (2010): 76-85.

Przeworski, Adam “Democracy and Economic Development,” accessed June 3rd, 2013, <http://www.politics.as.nyu.edu/docs/IO/2800/sisson.pdf>

Putnam, Putnam. “Social Capital Primer.” *Bowling Alone*, 2013: http://bowlingalone.com/?page_id=13

Raz, Guy “Nouri Al-Maliki’s Rise to Leadership.” *National Public Radio*. July 27th, 2006, accessed June 16th, 2013 <http://www.npr.org/templates/story/story.php?storyId=5581690>

Roßteutscher, Sigrid. "Social Capital Worldwide: Potential for Democratization or Stabilizer of Authoritarian Rule?." *American Behavioral Scientist* 53, no. 5 (2010): 737-757.

RT Network. “Iraq in Ruins.” RT Network. May 17th, 2013. <http://rt.com/news/iraq-poverty-war-crisis-414/>

Rustow, Dankwart A. “Transitions to democracy: Toward a dynamic model.” *Comparative Politics*. 2.3. 1970. 337-363

Rydgren, Jens and Dana Sofi. “Interethnic relations in Northern Iraq: Brokerage, social capital and the potential for reconciliation.” *International Sociology*, January 201, 26.1: 25-49

Sassoon, Joseph *Saddam Hussein's Ba'ath Party: Inside an Authoritarian Regime*. New York: Cambridge University Press, 2012.

Saunders, Harold. "Interactive Conflict Resolution: A View for Policy Makers on Making and Building Peace."

Schmitt, Eric. "Threats and Response." *New York Time*. February 28th, 2003. Accessed June 20th, 2013

<http://www.nytimes.com/2003/02/28/us/threats-responses-military-spending-pentagon-contradicts-general-iraq-occupation.html>

Simeon, Richard and Luc Turgeon. "Federalism, Nationalism and Regionalism in Canada. *Revista d'estudis autonòmics i federals* 3 (2006): 16-17.

Smith, Jennifer *Federalism*. Vancouver: UBC Press, 2004

Sloman, Dersso. *Taking ethno-cultural diversity seriously in constitutional design*. Boston: Martinus Nijhoff Publishers, 2012

Snyder, Jack. Jervvis, Robert. "Civil War and the Security Dilemma." *Civil Wars, Insecurity, and Intervention*. Ed. Barbara F Walter, Columbia University Press, 1999. 15-37

Stein, Janet Gross "Image, Identity and Conflict Resolution," in *Managing Global Chaos*, eds. Chester Crocker, Fen Hampson and Pamela Aall,. Washington, D.C: United States Institute of Peace Press, 1996. pp 93-111.

Stewart, Rory. "Why Democracy Matters.," *Ted Talks*. October 2012. Accessed May 12th, 2013

http://www.ted.com/talks/rory_stewart_how_to_rebuild_democracy.html

The Economist. "Northern Iraq." *The Economist*, April 20th, 2013

<http://www.economist.com/news/middle-east-and-africa/21576394-despite-assertions-contrary-iraqs-kurds-are-inching-towards-outright>

Suberu, Rotimi and T Suberu. *Federalism and ethnic conflict in Nigeria*. United States Institute of peace Press, 2001

Sztompka, Piotr. "Does Democracy Need Trust, or Distrust, or Both?." In *Transparenz*, pp. 284-291. VS Verlag für Sozialwissenschaften, 2010.

Tamara Lenard, Patti . *Trust, Democracy, and Multicultural Challenges*. Pennsylvania: Pennsylvania State Press, 2012.

The World Bank. "Definitions of Fragility and Conflict." *The World Bank*. July 26th, 2012. Accessed May 29th, 2013,

<http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/STRATEGIES/EXTLICUS/0,,contentMDK:22230573~pagePK:64171531~menuPK:4448982~piPK:64171507~theSitePK:511778,00.html>

Tiebout, Charles M "An economic theory of fiscal decentralization." *Public finances: Needs, sources, and utilization*, Princeton University Press, 1961: pp. 79-96.

Tilly, Charles. *Democracy*. New York: Cambridge University Press, 2007

Ukiwo, Ukoha. "Education, horizontal inequalities and ethnic relations in Nigeria." *International Journal of Educational Development* 27, no. 3 (2007): 266-267

University of Twente. "Social Identity Theory," *University of Twente*. Accessed May 15th, 2013 http://www.utwente.nl/cw/theorieenoverzicht/Theory%20Clusters/Interpersonal%20Communication%20and%20Relations/Social_Identity_Theory.doc/

Uslaner, Eric "Democracy and Social Capital." *Democracy and Trust*. Ed. Mark Warren New York: Cambridge University Press, 1999: 121-123

Visser, Reidar. "Introduction." *An Iraq of Its Regions? Cornerstones of a Federal Democracy?* Ed. Reidar Visser and Gareth Sansfield. New York: Columbia University Press, 2008.

Visser, Reidar "Kurdish Issue in Iraq." *Fletcher F World Affairs*. 34. (2010)

Williams, Timothy. Nordland, Rod. "Allawi Victory in Iraq Sets UP Period of Uncertainty." *New York Times*. March 26th, 2010, Accessed June 16th, 2013, <http://www.nytimes.com/2010/03/27/world/middleeast/27iraq.html?adxnnl=1&pagewanted=all&adxnnlx=1368285441-Vst+AKPUHBa0HubulFqRAg>

Yildiz, Kerim. *The Future of Kurdistan: The Iraqi Dilemma*. New York: Pluto Press, 2012

Waite, PB. "Confederation." *The Canadian Encyclopaedia*. 2012. Accessed June 17th, 2013 <http://www.thecanadianencyclopedia.com/articles/confederation>

Warren, Mark E. "Introduction." *Democracy and Trust*. Ed. Mark Warren. New York: Cambridge University Press, 1999. 1-21

Weinstock, Daniel. "Towards a normative theory of federalism." *International Social Science Journal* 53, no. 167 (2001): 75-83.

Whitson, Sarah Leah. "How Baghdad Fuels Iraq's Sectarian Fire." *New York Times*, May 15th, 2013. <http://www.nytimes.com/2013/05/16/opinion/global/how-baghdad-fuels-iraqs-sectarian-fire.html?pagewanted=all&r=0>

Wilgenburg, Wladimir Van. "Iraq Moving Towards Federalism." *Rudaw*. March 20th, 2013. <http://rudaw.net/english/kurdistan/200320131> Accessed May 25th, 2013

Zartman, I William. "The Timing of Peace Initiatives." *The Global Review of Ethnopolitics*, Vol. 1, no. 1, September 2001.

http://www.peacemaker.un.org/sites/peacemaker.un.org/files/TimingofPeaceInitiatives_Zartman2001.pdf