

AFTER THE SURGE: TOWARD AN 18-STATE FEDERATION



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FOUR MAJOR PROPOSALS FOR A WAY FORWARD HAVE BEEN ADVANCED, BUT THEY ALL IGNORE IRAQ'S POLITICAL CENTER OF GRAVITY.

BY KEITH W. MINES

he conflict in Iraq is multifaceted — alternating between insurgency, civil war, local factional violence and criminality. The insurgency itself is multidimensional, part indigenous resistance to occupation and part resistance by the losing faction in a power struggle. The best way for an outside power to intervene in such a situation is by forcing a settlement to the underlying political issues that are driving the conflict. A second-best solution is to engage local proxies who know the conflict — the terrain, the culture and the cloudy internal politics — and who

will not generate the nationalistic reaction that fuels a key part of it.

Only as a last resort should a big power take part directly in internal conflicts over an extended period of time, and only in cases where there is a vital national interest involved that can only be attained by being on the ground. This is especially true when a regional conflict is but one piece of a global struggle in which opposing sides feed on a narrative of religious nationalism.

Because of how the Saddam Hussein regime was deposed, the Iraq war unavoidably began as the worst of the three models, and we have had a difficult time moving it into the other two. Proxies have not developed as a coherent force, and the political process has been muddled and uneven. We seem perpetually stuck in first gear.

The recent success of the “surge,” however, leaves us ready to change gears, and the overall development of Iraqi security forces could get us to second. But to go beyond that, a long-term strategy must focus on the underpinnings of the conflict and seek political solutions, bolstered only secondarily by force and economic reconstruction.

In its current configuration, Iraqi citizens’ core political identification is ethnically based, and politics is a scramble for power at the national level. But this confessional system a la Lebanon, where political power is based on religious, sectarian groupings, can never produce stability in Iraq. The only way the country can be functional over the long term is if it is organized around a federation model for its 18 governorates, which breaks down confessional groups (e.g., Shia, Sunni) at the local level, leading to provincial political identification that

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The views presented here are his own, and do not reflect those of the State Department or Embassy Ottawa.

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facilitates national unity. If this model is rejected by Iraqis, then partition becomes much more likely, if not inevitable.

Four Flawed Proposals

Four major proposals for a way forward have been advanced over the past months, all of which ignore

Iraq’s political center of gravity.

The first is the proposal, advocated by Sen. Joseph Biden, D-Del., and analysts Peter Galbraith and Leslie Gelb, to partition Iraq into three ethnic states divided among Shia, Sunnis and Kurds. This is unquestionably where the country is headed, and unless concerted force and effort are applied over an extended period of time, it is where Iraq will end up. Partition would not be a complete catastrophe for the United States. It is not a given that these three states would fall under the sway of outside powers, or that any would provide a haven for al-Qaida. The post-conflict relationship between southern Iraq and Iran is not clearly established, and the invitation to outside terrorist groups in western Iraq was very short-lived. As long as the three new states controlled their territory, could be coerced to follow international norms of behavior and regional spillover was minimized, it would be a manageable outcome. The U.S. would be able to disengage over time, hopefully with the approval of the three new states and without fighting a rear-guard withdrawal.

There are other, two-state variations of partition. One envisions a Shiite-Sunni state in the south and a Kurdish state in the north. This has some advantages over the three-state model because it allows the most historically alienated of the three groups, the Kurds, to go its own way, while keeping the oil-rich south tied to the less well-endowed west, and averts the question of what to do with Baghdad. Another, a proposal of utter desperation, calls for a Sunni-Kurdish state in the north and west and a Shiite state in the south. Still, given the downsides of partition in any configuration, it would seem to be a last resort, not something to be proactively sought. And, significantly, there appear to be few Iraqis outside of the Kurdish region who support partition.

A second proposal, from the Iraq Study Group chaired by James Baker and Lee Hamilton, ignores the fundamental internal political issues that are at the heart

of the Iraq conflict and focuses on issues that appear easier to control. In its first core recommendation, the “New Diplomatic Initiative,” the ISG tries to impose a regional formula on the gritty, street-level issues of political stability inside Iraq. But Iraq will defy this kind of solution, assuming regional players agree to play their assigned role in the first place. The second core recommendation, to embed large numbers of American advisers inside the Iraqi security forces, is similarly flawed if done in isolation from a larger political arrangement. Even if the security forces improved significantly, they would still be fighting for a political order that pits Sunni against Shiite against Kurd; their improved capability will quickly fall into fighting for confessional groupings, not the Iraqi nation. Engaging regional players and transitioning to Iraqi security forces are supporting pillars in stabilizing the nation, but they are not the central pillar.

A third proposal is simply to empower the Shiites and encourage them to crush the Sunnis, establishing a Shiite variant of the Saddamist state. Desperation, it would seem, leads to desperate proposals. The Sunnis may be only 15 percent of the Iraqi populace, but they are the most capable 15 percent, the most violent 15 percent and the most militarily experienced 15 percent. They will not go quietly. A Shiite-Kurdish alliance to gain forcible control over the Sunnis would require the level of violence that Saddam used to control the Shiites and Kurds, with the same negative impact on the country, the region and, now, on U.S. credibility, as well.

The fourth proposal centers on the troop surge. As posited by AEI resident scholar Frederick Kagan and defense analyst Jack Keane, the political piece is too complicated and the reconstruction piece too uncertain, so we should focus on what we can control — security. To date, the troop surge appears to have produced a fairly dramatic turnaround in conditions in Baghdad and its environs. Coupled with positive development in Anbar, it has bought some breathing space.

But it would be a mistake to look at the surge in isolation: it will only yield fruit if it produces a viable political structure. In this light recent developments are less encouraging. While there has been some reconciliatory

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progress of late, it does not appear deep-seated or lasting. Of perhaps more importance, the troop surge has created greater dependence on outside forces by a government that will only survive if it can burnish its nationalistic credentials. Moreover, the nature of our counterinsurgency operations perpetuates a degree of anger toward the coalition that empowers religious nationalists, who are one of the most significant pieces

of the political puzzle. In this sense, stability is a question of fewer, not more, troops.

De-Baathification: The CPA's Original Sin

The real locus of stability is in how the Iraqi government facilitates political interaction and identification among Iraqis. In this regard, the current political structure is seriously flawed. Although it is doubtful it can be made to work in its present form, it can *possibly* be fixed.

The political process, which first the U.S.-led Coalition Provisional Authority administered and then the U.N. oversaw through elections, created the conditions for Iraqis to identify with their confessional groupings rather than with the nation. It marginalized the Sunnis, empowered the Shiites, and allowed the Kurds their independence. This was the result, first, of the deep de-Baathification program administered by Ahmed Chalabi in 2003 and 2004 and continued under the new government, which included the disbanding of the army and intelligence services and the dismissal of most senior and mid-level Sunni officials. The message to Sunnis was not just that their dominance of Iraq was over, but that they would now be dominated by the other groups. The confessional structure was perpetuated by Ambassador Jerry Bremer's concession to the Kurds, allowing them to form a subregional grouping as part of the Transitional Administrative Law — something the Shiites also took advantage of to a lesser degree in the south.

Finally, Iraq's de facto tri-state confessional division was given formal structure when the electoral process was conducted through the use of national lists, around which Iraqis naturally rallied to their respective ethnic groupings, rather than a locally based system that would

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have broken down the confessional groupings and forced political participation and accountability through provincial identification.

We should not perpetuate the fiction that there are military, regional or economic solutions to a problem that is fundamentally one of internal Iraqi political structure and identification. Nor should we assume that an Iraq consisting of a Shiite-dominated core with a semi-independent Kurdistan and a marginalized Sunnistan will eventually be stable. The current political program for Iraq is to attempt to garner concessions from the Shiite government on behalf of Sunnis. The very nature of this process perpetuates and hardens the ethnic divisions that are at the heart of the dysfunction in the Iraqi state.

The only viable prospect for a unified and stable Iraq at present is to change the political framework so that the basic organizing principle is 18-state federalism. This,

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ironically, is where Amb. Bremer was headed with his caucus system in the fall of 2003, before the plan was aborted. It is not clear whether it would have worked then, but it is doubtful that anything else will work now. The structure of the Iraqi state must change fundamentally in order to break up ethnicity

as the country's core organizing concept.

A federation will not emerge as the result of a 10-step program. The process will be messy and circuitous, and there will be innumerable diversions along the way. It starts with clarity about the current state of the country, which is this: Although it maintains the fiction of 18 administrative units, Iraq is increasingly a federation organized around its three confessional groupings. Even when acting locally, Iraqis generally do so along sectarian lines. The provinces as political units have simply never taken off in post-Saddam Iraq. But it should also



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be noted that a formal three-state federation, as some imagine Iraq could become, will probably not work either. Among other things, federations generally require a minimum of seven or so units, lest the various entities simply consider the hassle of federation not worth the effort and go their own way.

Getting There

Getting to an 18-state federation will require, first and foremost, the will of the current Iraqi government. Absent this, it would be difficult to even get started. One of the strongest arguments for a timetable for withdrawal is that it would get the attention of the government and cause it to make the necessary concessions to move the country in the right direction.

Second, the process will require a skilled U.N. envoy who has the neutrality and competence to work with all sides to the conflict and garner the concessions to move Iraq onto a new political path. The U.S. would have to promote this individual and allow him to take the lead on political reconciliation.

Third, there must be a conference of national unity, with delegates drawn from the provinces to represent their province, not their national party or ethnic group. Stability in Afghanistan flowed from the 2001 Bonn Agreement and the subsequent Loya Jirga (national conference), where Afghans could see their nation as a nation, and where they were given a governing structure that was national, not ethnic, in character. Iraq has never had anything like this. It went from a full-scale foreign occupation to an internationally chosen Governing Council that lacked national credibility, and then to legislative elections structured in a way that pushed Iraqis into their respective ethnic corners — leaving them suspicious, angry and increasingly violent.

The challenge will be to change the structure of the country without ignoring the hard-fought elections and without starting over on the constitution. A number of experts believe this is possible. It will not be sufficient, however, to simply have the current ethnically based government grant concessions to the opposing ethnic groups.

Fourth, in addition to a conference of national unity

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that would deal with the issue of how the Iraqi government is selected, serious work on the constitution, which determines how Iraqis are governed, is needed. Both issues must be addressed. Federation expert David Cameron describes the current constitution as “a gigantic worksite,” that is “incomplete, unclear and evolutionary.” He sees the key issues that need work as “rectifying the imbalance in power between the center

and the regions, establishing key institutions (in particular the upper house and the Supreme Court) and clarifying the distinction between regions and governorates.” Cameron believes that “if the opportunity is creatively seized, the amending process could both extend the national consensus on the constitution to include the disaffected Sunni community and also improve the workability of its federal provisions.”

Fifth, in any plan for a way forward, U.S. forces must begin to unilaterally disengage to get out of the way of the evolving security and political dynamic. This is especially true now that their ability to influence the dynamic is falling off sharply. A firm date for the withdrawal of U.S. troops from Iraq’s cities, a timetable that puts the government on notice that we will not continue to enable the current dysfunction, would help facilitate this. As much as possible, the disengagement should be tied to changes in the political structure that could lead to national unity. U.S. forces can, however, be kept in overwatch at bases outside the cities for a lengthy period of time, from where they could break up major attacks and movements without being a perpetual presence throughout the country.

One of the biggest challenges in such a plan will be managing the Kurds. Kurdish expectations now run so strongly in the direction of statehood that it will be difficult to get them back to a provincially based system where they give up their regional power base. It may simply be too far along to reverse course, and the Kurds will have to be allowed to secede. But the cost of doing so is high enough, both for what it would do to Iraq and what it would do to the region, that it is worth pressing them to walk back from the current semi-independent Kurdish Regional Government and into a provincially

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based system. They could be allowed some form of loose coordination short of autonomy to sweeten the deal. Or they could, as one constitutional expert suggests, be allowed the kind of autonomy Scotland enjoys, while the south remains fully unified.

It is not at all clear that Iraqis have the political maturity to manage such a transition, the fifth in four years. But with large amounts of political, diplomatic and financial support, such a system could be implemented when the time is right. The key will be creating the right internal conditions for today's power brokers to see moving in this direction as being in their best interest.

If skillfully developed, such a course correction would not only facilitate but require a coalition withdrawal

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under conditions more favorable to the U.S. than in other potential scenarios. This would serve us well in the global war on terror. Our current policy works at cross-purposes: on a tactical level, U.S. forces are providing security and staving off sectarian fighting, while the images of occupation are stoking the flames of jihad globally. The key is to extricate U.S. forces from Iraq without evincing weakness or

lack of staying power. A political plan that requires withdrawal in order to work would be one way of doing so.

Only 18-state federalism can create a united and functioning Iraq, encouraging Iraqis to engage each other in the political arena and get on with the business of reforming their state in a way that it can function in the long term. ■

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