US POLITICAL TRANSITION POLICY AND POST-2003 VIOLENCE IN IRAQ

A Thesis
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in Conflict Resolution

By

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ABSTRACT

In attempting to understand post-invasion violence, particularly in the years 2005 – 2007, policymakers, government officials, military personnel, and scholars have identified numerous and legitimate factors that contributed to overall instability within Iraq. What has been lacking, however, is a study that considers the linkages between levels of violence and the political transition process. Given the ongoing instability in Iraq, this research explores the connection between levels of violence, dissatisfaction among Iraq’s diverse ethnic, religious, and sectarian groups, and the political transition process. In assessing the volatility of Iraqi society, this analysis reveals the impact and importance of the US-directed political transition process, including efforts to: (a) establish an Iraqi Interim Government and hold elections; (b) structure security policy; (c) influence the development of the Iraqi constitution; and (d) integrate or isolate key religious and political leaders into the emerging political system. Upon a critical examination of the above factors, this study argues that the inability of the United States and Coalition partners to quickly and effectively implement an inclusive political transition process increased the probability of violence and instability throughout Iraq.
Dedicated to

Dan Gillison, Jacob Herring and David Mincy
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INTRODUCTION

It has been nearly a decade since the 2003 US-led invasion of Iraq. Although a sizeable American diplomatic presence remains, along with thousands of contractors and advisors, the US military has largely withdrawn from the country. Moving forward, an evaluation of the lessons learned from the Iraq war seems warranted. Such a project raises broad questions of war and conflict as well as how future political transitions should be understood and managed.

In terms of global levels of violence, there is a debate over how to interpret large-scale conflict and social instability. On the one hand, despite constant media reports on war, crime, and terrorism, evidence suggests that violence has decreased around the world.\(^1\) This view explains that for much of human history, war, genocide, slavery, assassinations, child abuse, infanticide, and horrific punishments were common occurrences in daily life. Yet, recent research has shown that such features are on the decline and that we may now be living in the most peaceful time in human history.

On the other hand, with the evolution of modern warfare there have been increases in the types of violence committed. The world began the decade with 9/11, US-led wars in Afghanistan and Iraq, and more recently, an expansion of US covert operations throughout the Middle East and North Africa. Such operations include US Special Forces missions into non-consenting sovereign nations, like the mission to kill Osama bin Laden in Pakistan, or the numerous CIA-led drone attacks in South Asia, North Africa, and the Middle East. This includes the exceptional case in which an American citizen, Anwar al-Awlaki, was targeted and killed in Yemen in 2011.

When confronted with these competing and contradictory viewpoints and trends, both globally and within the United States, political leaders have struggled to account for

“unexpected” developments during active and post-conflict scenarios. Within the context of Iraq, the unexpected nature of conflict was a problem that resulted in tragic consequences. Following the 2003 invasion, widespread deaths, injuries, displaced persons and refugees, destruction of infrastructure, environmental degradation, and sectarian divisions with ethno-religious legacies resulted in a chaotic and violent period of political transition and civil war – the details of which will be discussed later in this thesis.

Looking ahead, it is clear that many political leaders on the world stage, and certainly within the American system, view conflict, state security, and political transitions through an inadequate paradigm. The traditional security approach says that in order to decrease violence, a nation must use force or “hard power” to gain control. That is precisely what the United States attempted to do in Iraq. President George W. Bush and his administration argued that US forces would be greeted as “heroes” and “liberators.” Yet, what ensued was enormous violence.

How can we explain the massive levels of violence that occurred in the wake of the invasion? There are a number of possibilities worth examining. At the local level, violence could have been related to fighting between Coalition soldiers and Iraqis, sectarian and religious groups, external fighters from places like Iran or Syria, economic and business competitors, criminals and smugglers, or a combination of the above actors harboring diverse motivations and interests.

Other possibilities could be related to national dynamics. Since the US invasion of Iraq, there has been significant regional variation in levels of violence, as well as variation in annual violence across the country. If violence was correlated with the presence of US and Coalition military forces, it could be expected that violence would increase in proportion to the size of the Coalition military footprint. Yet, evidence suggests that heightened and sustained levels of
violence did not occur immediately following the US-led invasion but instead spiked from 2005-2007. In other words, it seems that factors related to violence in Iraq extend well beyond the presence of Coalition troops.

Similarly, it could also be expected that regions containing ethnic and religious groups formally repressed under Saddam Hussein, and who stood to gain the most from the US-led invasion, would be more willing to participate in the emerging Iraqi political system and therefore experience less violence than other regions of the country. While this is arguably true for the Kurdish region of Iraq, from 2003 to 2005 the Shi’a-dominated South endured relatively high civilian casualty rates when compared to national levels of violence. Given the wide range of possible causes of violence, what, then, explains regional variation in levels of violence within Iraq from 2003 to 2011?

In attempting to understand post-invasion violence, policymakers, government officials, military personnel, and scholars have identified numerous and legitimate factors that contributed to overall instability within Iraq. What has been lacking, however, is a study that considers the linkages between levels of violence and the political transition process. Given the ongoing instability in Iraq, this research will explore the connection between levels of violence, dissatisfaction among Iraq’s diverse ethnic, religious, and sectarian groups, and the US-directed political transition process.

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CHAPTER 1
THE PROBLEM PERIOD

In order to understand the context of post-invasion conflict, the following section lists brief facts on the demographics of Iraq and provides general information on the country’s social, economic, and human development indicators. Geographically, Iraq has an area of 438,317 square Kilometers, roughly twice the size of the state of Idaho.\(^4\) Iraq has a population of roughly 33 million people. The National Statistical Office of Iraq, the Central Organization for Statistics and Information Technology, estimates that Iraq’s 2011 population was approximately 33.3 million people, while the last completed census (2008) numbered the population at 31,895,000.\(^5\)

The capital city is Baghdad with an estimated population of 5.7 million people (2004). The next largest cities are Basrah, Mosul, Kirkuk, Sulaymaniyah, and Erbil.\(^6\) The terrain is made up of broad plains, marshes along the Iranian border with sizeable flooded areas in the south, and mountains in the north along Iraq’s borders with Turkey and Iran. As much of Iraq is desert, the climate is mostly hot and dry.\(^7\)

Iraq harbors a diverse ethnic population, which consists of the following groups: Arab 75%-80%, Kurd 15%-20%, with approximately 5% identifying as Turkoman or other. Religious affiliation in Iraq is 97% Muslim (Shi’a 60%-65%; Sunni 32%-37%), while roughly 3% are Christian or other. Iraq’s official languages are Arabic and Turkish. Additional languages spoken in Iraq include Turkoman (a Turkish dialect), Assyrian, and Armenian.\(^8\)

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\(^7\) Ibid.

Figure 1: *Iraq Map*\(^9\)

Figure 2: *Iraq: Social Indicators and Human Development*\(^\text{10}\)

<table>
<thead>
<tr>
<th>Metric</th>
<th>Year</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population growth rate (average annual %)</td>
<td>2010-2015</td>
<td>2.6</td>
</tr>
<tr>
<td>Urban population growth rate (average annual %)</td>
<td>2010-2015</td>
<td>2.6</td>
</tr>
<tr>
<td>Rural population growth rate (average annual %)</td>
<td>2010-2015</td>
<td>2.7</td>
</tr>
<tr>
<td>Urban population (%)</td>
<td>2010</td>
<td>66.2</td>
</tr>
<tr>
<td>Population aged 0-14 years (%)</td>
<td>2010</td>
<td>40.7</td>
</tr>
<tr>
<td>Population aged 60+ years (females and males, % of total)</td>
<td>2010</td>
<td>5.6/3.9</td>
</tr>
<tr>
<td>Sex ratio (males per 100 females)</td>
<td>2010</td>
<td>102.3</td>
</tr>
<tr>
<td>Life expectancy at birth (females and males, years)</td>
<td>2010-2015</td>
<td>72.6/67.7</td>
</tr>
<tr>
<td>Infant mortality rate (per 1,000 live births)</td>
<td>2010-2015</td>
<td>30.1</td>
</tr>
<tr>
<td>Fertility rate, total (live births per woman)</td>
<td>2010-2015</td>
<td>3.7</td>
</tr>
<tr>
<td>Contraceptive prevalence (ages 15-49, %)</td>
<td>2006-2009</td>
<td>49.8</td>
</tr>
</tbody>
</table>

From an economic standpoint, Iraq’s nominal gross domestic product (GDP) was $108.6 billion (2011 est.).\(^\text{11}\) Iraq’s average income level, or gross national income (GNI) per capita was $2,320 (2010 est.).\(^\text{12}\) The 2011 estimate of Iraq’s GDP real growth rate was 9.6%, while the rate of inflation for the same year was 5.0%. In 2009, the unemployment rate stood at 15.3%. The budget for 2011 (enacted) listed revenues at $69.2 billion and expenditures at $82.6 billion. As of September 2011, public debt was estimated to be between $53 billion to $79 billion. In terms of exports, Iraq’s natural resources include oil, natural gas, phosphates, and sulfur, while its main

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agricultural products are wheat, barley, rice, corn, chickpeas, beans, dates, cotton, sunflowers, cattle, sheep, and chickens. Iraq’s key industries include petroleum, chemicals, textiles, construction materials, food processing, fertilizer, and metal fabrication/processing.\(^\text{13}\)

**Figure 3: Iraq: Education and Human Development\(^\text{14}\)**

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Year</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Youth (15-24 years) literacy rate, male</td>
<td>2005-2010</td>
<td>85</td>
</tr>
<tr>
<td>Youth (15-24 years) literacy rate, female</td>
<td>2005-2010</td>
<td>80</td>
</tr>
<tr>
<td>Total adult literacy rate</td>
<td>2005-2010</td>
<td>78</td>
</tr>
<tr>
<td>Adult literacy rate: females as a % of males</td>
<td>2005-2010</td>
<td>81</td>
</tr>
<tr>
<td>Primary school participation, Net attendance ratio, male</td>
<td>2005-2010</td>
<td>91</td>
</tr>
<tr>
<td>Primary school participation, Net attendance ratio, female</td>
<td>2005-2010</td>
<td>80</td>
</tr>
<tr>
<td>Secondary school participation, Net attendance ratio, male</td>
<td>2005-2010</td>
<td>46</td>
</tr>
<tr>
<td>Secondary school participation, Net attendance ratio, female</td>
<td>2005-2010</td>
<td>34</td>
</tr>
<tr>
<td>Number per 100 population, mobile phones</td>
<td>2010</td>
<td>76</td>
</tr>
<tr>
<td>Number per 100 population, Internet users</td>
<td>2010</td>
<td>6</td>
</tr>
</tbody>
</table>

**Violence: Civilian and Military Death Totals from 2003 to 2011**

Depending upon the source of the information, there is a high degree of variation concerning the number of Iraqi civilian deaths in Iraq from 2003 to 2011. Iraq Body Count (IBC) presents among the most conservative numbers on Iraqi civilians killed since the March 19, 2003


US-led invasion. Most recently, according to IBC, there were 4,087 Iraqi civilian deaths from violence in 2011 alone. Drawing largely from media sources, this number was derived from roughly 6,828 distinct reports gathered from nearly 90 sources spanning 1,884 incidents, which are openly listed on the IBC website.\footnote{15}{“Iraqi Deaths from Violence 2003 - 2011,” Iraq Body Count, accessed January 26, 2012, \url{http://www.iraqbodycount.org/analysis/numbers/2011/}.} Since March 2003, IBC lists the total number of Iraqi civilian deaths at 114,405. Iraq Body Count contends that “these numbers represent a verifiable documentary record of deaths, and are not estimates,” although the organization does direct interested parties to a “WikiLeaks update” for further information regarding “partially estimated figures.”\footnote{16}{Ibid.}

Important to note, IBC defines Iraqi civilians as all non-combatants, including children and police in normal, civil, non-paramilitary roles (e.g. local and traffic police).\footnote{17}{“About Iraq Body Count Project,” Iraq Body Count, accessed January 26, 2012, \url{http://www.iraqbodycount.org/about/}; see also, Madelyn Hsiao-Rei Hicks, Hamit Dardagan, Peter M Bagnall, Michael Spagat, and John A Sloboda, “Casualties in Civilians and Coalition Soldiers from Suicide Bombings in Iraq, 2003–10: A Descriptive Study,” The Lancet, 3 September 2011 (Vol. 378, Issue 9794, Pages 906-914).} Moreover, IBC records only “violent” civilian deaths (strictly non-combatant), and constantly revises its figures as new data comes in.\footnote{18}{“About Iraq Body Count Project,” Iraq Body Count, accessed January 26, 2012, \url{http://www.iraqbodycount.org/about/}.} Thus, at the time of this writing (February 2012), it is likely that IBC statistics on Iraqi civilian deaths will have increased.

At the opposite end of the spectrum, Opinion Research Business (ORB) estimates the number of Iraqi civilians killed between March 2003 and August 2007 to be 1,033,000. This information was gathered from a survey of over 2,160 Iraqi respondents, from both rural and urban communities. ORB lists the statistical margin of error at +/- 1.7% (for findings at or near 20%). Thus, according to ORB, the range of civilians killed in Iraq between 2003 and 2007 is
946,000 to 1,120,000.\textsuperscript{19} In comparison to Iraq Body Count data, Opinion Research Business puts the number of Iraqi civilians killed after 2003 at nearly ten times the IBC number. Furthermore, ORB’s survey ends at 2007, whereas IBC’s data counts deaths through 2011.

Setting aside these distinct sets of data that outline the extreme ends of the spectrum on Iraqi civilian deaths totals, there are a number of studies that fall in between. In a 2011 study published in \textit{The Lancet}, which analyzed IBC database records updated as of March 8, 2011, the authors found that from March 20, 2003 to December 31, 2010, there were 108,624 Iraqi civilian deaths, 117,165 injured civilians, and 225,789 Iraqi civilian casualties (injuries and deaths).\textsuperscript{20} However, an earlier 2006 study, also published in \textit{The Lancet}, estimated that 654,965 excess deaths occurred between 2003 and 2006.\textsuperscript{21} The difference in approximations is striking, given that the 2006 study offers a number of casualties that is nearly six times the number of the 2011 study, and with a timeframe that is roughly four years shorter.

There have also been studies more closely affiliated with the Iraqi government. A joint survey performed by the Iraqi Family Health Study Group (IFHS) and the World Health Organization (WHO) estimated that 151,000 Iraqis died between March 2003 and June 2006 as a consequence of violence.\textsuperscript{22} While Iraq Body Count has been criticized for underestimating the number of people killed, it is important to note that IBC uses media reports whereas the WHO study was based on cluster surveys. In both cases, the acquisition of reliable data in Iraq, as well as any other conflict area, has been “notoriously difficult” given the challenges surrounding

destroyed infrastructure and transportation networks, breakdowns in government administration, access to combatants and victims, as well as organizational concerns about sending researchers into violent regions. Nevertheless, it seems likely that the actual number of civilian casualties in Iraq from 2003 to 2011 is higher than the IBC number.

Figure 4: *Casualties of the Iraq War*\textsuperscript{24}

<table>
<thead>
<tr>
<th>Source</th>
<th>Casualties</th>
<th>Time Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iraq Body Count</td>
<td>114,405 Iraqi civilian deaths</td>
<td>March 2003 to January 2012</td>
</tr>
<tr>
<td>Opinion Research Business</td>
<td>1,033,000 Iraqi civilian deaths</td>
<td>March 2003 to August 2007</td>
</tr>
<tr>
<td><em>The Lancet</em></td>
<td>108,624 Iraqi civilian deaths</td>
<td>March 2003 to December 2010</td>
</tr>
<tr>
<td>Iraqi Family Health Study Group &amp; World Health Organization</td>
<td>151,000 Iraqi civilian deaths</td>
<td>March 2003 to June 2006</td>
</tr>
<tr>
<td>Costs of War</td>
<td>126,000 Iraqi civilian deaths</td>
<td>March 2003 to January 2012</td>
</tr>
<tr>
<td>Just Foreign Policy &amp; AntiWar</td>
<td>1,455,590 Iraqi civilian deaths</td>
<td>March 2003 to January 2012</td>
</tr>
<tr>
<td>US Department of Defense</td>
<td>4,488 US military fatalities\textsuperscript{25}</td>
<td>March 2003 to January 2012</td>
</tr>
<tr>
<td>Iraq Coalition Casualty Count</td>
<td>318 Coalition fatalities</td>
<td>March 2003 to January 2012</td>
</tr>
</tbody>
</table>

As a further illustration of the number of sources available and the inherent challenge of gathering reliable data on Iraqi civilian casualties, there are a few websites worth mentioning. First, the Costs of War website, produced by the Watson Institute for International Studies at Brown University, lists Iraqi civilian deaths at a minimum of 126,000 – a number based on


\textsuperscript{24} All citations can be found in text.

\textsuperscript{25} This number includes 13 DoD civilian fatalities.
public sources and considered by the Institute as low, “perhaps very low.” Other websites put the number of Iraqi deaths much higher. For instance, JustForeignPolicy.org and AntiWar.com estimate that 1,455,590 Iraqis have been killed from 2003 to 2011.

Any examination of total deaths in Iraq since 2003 must, of course, include the casualties of US and Coalition personnel, both military and civilian. As of January 27, 2012, the US Department of Defense (DoD) recorded 4,422 US military fatalities during Operation Iraqi Freedom. This number includes 13 DoD civilians. An additional 66 US military personnel have been killed in Iraq as a part of Operation New Dawn. The total number of US military personnel and DoD civilians killed in Iraq from 2003 to January 2012 is 4,488.

In addition to US military and government personnel, a significant number of international military and civilians have died in Iraq. The British Casualty Monitor records 179 UK military fatalities. Iraq Coalition Casualty Count lists the following numbers of fatalities for additional members of the International Coalition: Australia (2); Azerbaijan (1); Bulgaria (13); Czech Republic (1); Denmark (7); El Salvador (5); Estonia (2); Fiji (1); Georgia (5); Hungary (1); Italy (33); Kazakhstan (1); Latvia (3); Netherlands (2); Poland (23); Romania (3); Slovakia (4); South Korea (1); Spain (11); Thailand (2); Ukraine (18). As of January 2012, the total number of Coalition casualties is 318.

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Variation in Types of Violence

In addition to the total deaths in Iraq since 2003, there has been widespread violence that has varied both with regards to location and severity. In analyzing perpetrator, location, weapons used, and victims affected, this section aims to construct a broad outline of violence in Iraq from 2003 to 2011, with a particular emphasis on the immediate post-invasion period until 2006. To accomplish this task, this section will examine the number of suicide attacks along with corresponding casualty counts, deaths and injuries over time, and victim demographics. I will also look at violence related to kidnappings, robberies, attacks, and destruction of property. Rather than offering a definitive set of violence-related data, I will provide an indication of estimated levels of violence.

A general overview of violence will be presented in relation to Iraq’s eighteen provinces: Baghdad, Salahad Din, Diyala, Wasit, Maysan, Al-Basrah, DhiQar, Al-Muthanna, Al-Qadisiyah, Babil, Karbala, An-Najaf, Al-Anbar, Ninawa, Dahuk, Arbil (Erbil), Kirkuk, and As-Sulaymaniyyah. This section will also survey instances of violence in twelve of Iraq’s largest towns and cities: Baghdad, Al Fallujah, Nassriyah, Kerbala, Najaf, Mosul, Basrah, Kirkuk, Hilla, Tikrit, Ba’aqubah, and Samarra.

These localities are important for a number of reasons. Within cities, the majority of civilian deaths occurred in areas with a concentrated civilian population. Between 2003 and 2005, roughly 77% of all civilian deaths occurred in the 12 cities listed above. As the center of Iraq’s political and economic system, Baghdad alone accounted for nearly half of all civilian deaths in that same time period. Al Fallujah, located in the heart of Iraq’s Sunni Arab population, suffered the second highest loss of life after Baghdad.32 Aside from civilian death totals, statistics

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on other types of violence are most reliable when generated from the Iraqi government, Coalition forces, or international NGOs working within cities.

At the provincial level, statistics on civilian deaths are also instructive. A 2005 nationwide household survey of war-related deaths, conducted by Iraq’s Central Organization for Statistics (COSIT) and the United Nations Development Program (UNDP), reported that 50% of such deaths occurred in Iraq’s southern provinces, while 32% occurred in provincial Baghdad, 16% in central Iraq, and 2% in the north.\(^\text{33}\)

The time period from 2003 to 2005 is particularly valuable when attempting to gauge the nature and evolution of violence in Iraq. To begin with, the Iraq Body Count dossier of civilian casualties in that time period helps to outline the parameters and types of violence at their most conservative (yet perhaps most reliable) estimates. The IBC dossier focuses on the 67,365 civilians (mostly Iraqi citizens) that were reported killed or wounded throughout the initial two years of the war, up until March 19, 2005.\(^\text{34}\)

According to the IBC report, of the 24,865 civilians deaths during the first two years of the war, almost all died by violence. Of these total violent deaths, 82% were adult males and 9% were women. Approximately one person out of every ten civilians killed was under the age of 18 and the majority of adult victims were parents who left behind widows and orphans.\(^\text{35}\) Geographically, most casualties occurred in densely populated areas. In the first two years of the war, IBC lists 11,264 civilian deaths that occurred in Baghdad (nearly half of all deaths), while


\(^{34}\) Dardagan et al., p. 1.

\(^{35}\) Ibid.
Al Fallujah accounted for the second highest loss of life at 1,874 deaths.\textsuperscript{36} The IBC table below details the number of deaths in Iraq’s twelve biggest cities between 2003 and 2005.

<table>
<thead>
<tr>
<th>Towns and Cities</th>
<th>Killed</th>
<th>% of National Deaths</th>
<th>Population (2002 est.)</th>
<th>Deaths Per 10,000</th>
<th>One in Every ( ) Killed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baghdad</td>
<td>11,264</td>
<td>45.3</td>
<td>5,605,000</td>
<td>20.1</td>
<td>498</td>
</tr>
<tr>
<td>Al Fallujah</td>
<td>1,874</td>
<td>7.5</td>
<td>256,000</td>
<td>73.2</td>
<td>137</td>
</tr>
<tr>
<td>Nassriyah</td>
<td>984</td>
<td>4.0</td>
<td>535,000</td>
<td>18.3</td>
<td>544</td>
</tr>
<tr>
<td>Kerbala</td>
<td>929</td>
<td>3.7</td>
<td>549,000</td>
<td>16.9</td>
<td>591</td>
</tr>
<tr>
<td>Najaf</td>
<td>784</td>
<td>3.2</td>
<td>563,000</td>
<td>13.9</td>
<td>718</td>
</tr>
<tr>
<td>Mosul</td>
<td>735</td>
<td>3.0</td>
<td>1,739,000</td>
<td>4.2</td>
<td>2,366</td>
</tr>
<tr>
<td>Basrah</td>
<td>704</td>
<td>2.8</td>
<td>1,337,000</td>
<td>5.3</td>
<td>1,899</td>
</tr>
<tr>
<td>Kirkuk</td>
<td>613</td>
<td>2.5</td>
<td>728,000</td>
<td>8.4</td>
<td>1,188</td>
</tr>
<tr>
<td>Hilla</td>
<td>456</td>
<td>1.8</td>
<td>524,000</td>
<td>8.7</td>
<td>1,149</td>
</tr>
<tr>
<td>Tikrit</td>
<td>312</td>
<td>1.3</td>
<td>28,000</td>
<td>111.4</td>
<td>90</td>
</tr>
<tr>
<td>Ba`aqubah</td>
<td>304</td>
<td>1.2</td>
<td>280,000</td>
<td>10.9</td>
<td>921</td>
</tr>
<tr>
<td>Samarra</td>
<td>256</td>
<td>1.0</td>
<td>201,000</td>
<td>12.7</td>
<td>785</td>
</tr>
</tbody>
</table>

\textsuperscript{36} Dardagan et al., p. 3.
\textsuperscript{37} Dardagan et al., p. 3.
Concerning victim demographics and their respective occupations, Iraq Body Count lists a number of professionals in groups labeled as “deaths in non-targeted groups,” which make up a diverse cross-section of Iraqi society. According to IBC, police were the largest single occupational category among the killed. The following occupations are listed in order of most professionals killed, i.e., from most dangerous to less dangerous, respectively: security; military (non-active, e.g., Iraqi Army recruit, Iraqi National Guard recruit, Iraqis affiliated with or contracted by Iraqi or US military forces); political representatives, candidates, and advisors; service employees such as vendors, contractors, lawyers, shop owners; transport employees including airport staff, taxi drivers, truck drivers; religious leaders; media; health workers; food


39 Dardagan et al., p. 5.
producers and vendors; students; infrastructure engineers and technicians; NGO; ex-military; and criminals.\(^\text{40}\)

In the same 2003 to 2005 timeframe, the IBC breaks down those responsible for the death tallies mentioned. It was estimated that US-led forces were the sole killers of 37% of civilian victims while criminals were responsible for 36% of the civilian deaths. Anti-occupation forces killed 9% of victims while “unknown agents,” defined as “those who do not attack obvious military/strategic or occupation-related targets” were responsible for 11% of total deaths. The remainder of the killings were perpetrated by a combination of actors in which two or more of the above categories (US-led forces, criminals, anti-occupation forces, or unknown agents) were responsible for the deaths.\(^\text{41}\) The IBC also argues that the “deaths caused by anti-occupation forces, crime and unknown agents have shown a steady rise” over the 2003 to 2005 period.\(^\text{42}\)

Regarding statistics on wounded civilians, the IBC reports that 42,500 civilians were wounded between 2003 and 2005. While over three people were wounded for every death, adult males constituted over 88% of the injured. Women and children comprised 6% of the injuries each. The main injuries, in order of frequency, were injuries to limbs (40%), head (30%), torso (20%), and other, such as shrapnel wounds and burns (20%). Similar to civilians that were killed, the “largest single identified occupational groups suffering post-invasion injuries were those working in the security sector – principally policemen.”\(^\text{43}\)

Expanding the timeframe to include 2008, yet similar to IBC data, a *PLoS Medicine* study published in 2011, argues that “monthly rates of Iraqi civilian deaths from armed violence averaged 1,518 deaths per month [from March 20, 2003 to March 19, 2008], then began to

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\(^{40}\) Ibid.

\(^{41}\) Dardagan et al., p. 7.

\(^{42}\) Dardagan et al., p. 9.

\(^{43}\) Dardagan et al., p. 13.
decline in May of 2008." The study also argues that “a global assessment of the burden of armed violence in 2004-2007 found that persons living in Iraq had the highest risk of dying violently in conflict, peaking at 91 violent deaths per 100,000 population in 2006.” In other words, violent deaths peaked in 2006 and deaths per months decreased in May 2008. Importantly, the most violent periods in Iraq, notwithstanding the initial two months after the invasion, occurred after 2005.

One of the most important conclusions of the above PLoS Medicine study is that the majority of violent Iraqi civilian deaths from 2003 to 2008 were “inflicted by Unknown perpetrators, primarily through extrajudicial executions that disproportionately increased in regions with greater numbers of violent deaths.” Using a variety of weapons including suicide bombs, vehicle bombs, and mortars enabled these Unknown perpetrators to inflict lethal and indiscriminate damage on the Iraqi civilians targeted. Moreover, the deaths of Iraqi civilians, women, and children caused by Coalition forces “peaked during the invasion period, with relatively indiscriminate effects from aerial weapons.”

The PloS Medicine study also breaks down which groups were responsible for killing civilians and the weapons that were most often involved. Over one-third (32%) of civilian deaths from 2003 to 2008 were the result of executions by Unknown perpetrators. Of that 32% (19,321 people), almost 30% exhibited marks of torture. In relation to methods used by anti-Coalition forces, suicide bombers killed the highest percentage of anti-Coalition civilian victims, 5.5% of the total victims and over 3,000 people. Importantly, “Iraqi civilian deaths from anti-Coalition

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47 Ibid.
suicide bombers over time: deaths peaked in 2005, with substantial deaths in 2004, and in mid-2006 to 2007.\textsuperscript{48}

Among methods used by Coalition forces, the highest percentage of civilian victims were killed by air attacks without ground fire (60\% of Coalition caused deaths, or 2,384 people). In short, the \textit{PloS Medicine} study contends that Unknown perpetrators were responsible for the deaths of 44,750 civilians, while anti-coalition perpetrators accounted for 9,511 deaths, and Coalition forces killed 3,990 people. Relatedly, civilians that died from Unknown perpetrators were most likely to have died from executions; anti-Coalition perpetrators killed the majority of their victims by suicide bombs, particularly bombs from vehicles, and Coalition forces killed the majority of their victims through air attacks.\textsuperscript{49}

One of the unique features of the above \textit{PLoS Medicine} study is that it interlinks violence with its perpetrators. By taking into consideration actors involved in violent events, weapons used, and victim demographics, the research goes beyond an evaluation of public health outcomes and instead provides insight into the nature of the conflict. Specifically, the research can be used as an indicator of “combatants’ compliance with laws of war that require the protection of civilians from targeted or indiscriminate harm.”\textsuperscript{50}

Laws of war align with international humanitarian standards on the treatment of civilians and combatants and such standards, when clearly broken, shed light on the nature of the conflict. In the case of the post-2003 Iraq war, \textit{PLoS Medicine} study claims that Unknown perpetrators, rather than Coalition or anti-Coalition forces, inflicted the majority of Iraqi civilian deaths. The implication is that targeted military operations, with targeted killings, are capable of creating a


\textsuperscript{49} Ibid.

rise in indiscriminate killings and are likely to cause unanticipated increases in total violence within conflict zones.

Along these lines, a *New England Journal of Medicine* study found that female Iraqis and Iraqi children made up the “highest proportions of civilian victims when the methods of violence involved indiscriminate weapons fired from a distance: air attacks and mortars.” 51 The study also cites air attacks involving bombs or missiles, which disproportionately kill women and children, as evidence that such weapons should not be directed at civilian populated areas. Moreover, the authors contend that it is the responsibility of all combatant forces and governments to “implement policies of routine and transparent collection and release of verifiable data on the civilian casualties of military actions.” 52 While reliable data on death totals has been sorely lacking, similar information on non-lethal violence such as kidnappings, robberies, attacks, and destruction of property remains strikingly absent or inconsistent.

**Social Degradation: Political Violence, Crime, Social Services, and Refugees**

The non-lethal violence that followed the invasion is especially difficult to quantify, yet it is consistently remarked upon as the factor that most affected the daily lives of Iraqis living in city centers. 53 Many of the deaths were not related to the insurgency. In the immediate aftermath of the invasion, violence was often aimed at suspected informants or accomplices to the coalition and former Ba’th regime members. 54 As discussed previously, police and security forces were singled out as targets of violence, but as the nature and scale of violence shifted with the

increasing insurgency, assassinations and kidnappings began to impact the lives of ordinary Iraqi citizens. Teachers, garbage collectors, day laborers, kitchen staff, and factory workers were targeted, wounded, and killed in an attempt to intimidate the population. Bankers, businessmen and potential government employees and parliamentarians were kidnapped for large ransoms and released only after the sums had been paid.

Aside from total deaths, one study estimates that perhaps as many Iraqis have been wounded as killed. Focusing primarily on “terrorist” events, The US National Counterterrorism Center listed approximately 110,000 wounded Iraqis from 2004 through 2010. Such injuries took a strong toll on the Iraqi health care system. Although the system had suffered under a previous decade of sanctions, the 2003 invasion further eroded health care services. Prior to 2003, there were 34,000 physicians in Iraq. After the invasion, roughly 20,000 fled the country. While some physicians returned to Iraq, in 2008 there were approximately 16,000 physicians to care for 30 million people.

There was also the critical issue of looting. Very soon after the initial invasion, US and Coalition soldiers without orders to intervene observed men and boys collecting a variety of supplies and equipment away from government buildings in Baghdad. Items taken en masse included desks, computers, copiers, carpets, and small office supplies. Later, wiring and pipes were stripped from ministries and government buildings and were taken away by men in “trucks, cars, donkey carts, rickshaws, and on their own backs.”

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56 Allawi, p. 373.
Although difficult to classify looting as violence, organized crime, opportunism, or basic vandalism, it had a widespread and devastating effect on Iraqi society. Looting and property destruction occurred for days on end and on a massive scale. In addition to stripping nearly every ministerial building as well as Iraq’s historic National Museum, fires were set to obscure the crimes and to destroy symbols of state power.\textsuperscript{60} Aside from Iraqi government buildings, hotels, embassies, extravagant mansions, hospitals, power stations, and water installations were all systematically dismantled and burned. There were also huge numbers of vehicles and sets of construction equipment that were stolen and smuggled out of Iraq to dealers in Iran, Turkey, Syria, and Jordan. To make matters worse, “Baghdad’s police force, normally 40,000 strong, had disappeared and there were no firefighters to dampen the flames.”\textsuperscript{61}

The looting and pervasive destruction had the cumulative effect of eroding the confidence of Iraqi citizens in the Coalition’s ability, and indeed, desire to preserve the infrastructure and cultural legacy of Iraq. Noah Feldmen, a New York University law professor who went to Baghdad as a constitutional adviser to the Coalition Provisional Authority stated that “[t]he key to it all was the looting. That was when it was clear that there was no order. There’s an Arab proverb: Better forty years of dictatorship than one day of anarchy.”\textsuperscript{62}

Adding to the turmoil, in October 2002 Saddam Hussein had ordered the release of tens of thousands of prisoners from Abu Ghraib and other jails. As a sign of the disorder to come, on the day of their release, prisoners inside the installations and family members waiting outside surged and overwhelmed the prison guards, resulting in a number of deaths. Later, when it became clear that no one would prevent looting, more and more Iraqis engaged in civil disorder, which slid into rampant violence, “much of it perpetrated by criminal gangs of those same freed

\begin{footnotes}
\item Allawi, p. 94.
\item Ibid.
\item Packer, p. 138.
\end{footnotes}
prisoners: carjackings, kidnappings, rapes, murders, score settling of all kinds, and soon enough, sporadic attacks on American troops.”

Disentangling the types of violence that occurred becomes even more complicated when one considers the proliferation of refugees and internally displaced persons (IDPs) after the invasion. Since 2003, roughly 2.7 million people have been internally displaced, while an additional two million Iraqis left their country in search of refuge. These 4.7 million people make up the largest displaced group worldwide, and comprise the “third largest refugee population in the world (after Afghans and Palestinians).”

Similar to trends in levels of violence, the refugee movement, which began in 2004, increased over the course of the following three years, and peaked in late 2006. Joseph Sassoon, in The Iraqi Refugees: The New Crisis in the Middle East explains that, first, contrary to US and UN expectations, there were no major displacements of Iraqi citizens in the immediate aftermath of the invasion. Instead, the internal displacement following the toppling of Saddam Hussein can be understood in three phases: from May 2003 to February 2006; from February 2006 until the summer of 2007; and from 2007 onward where the surge of American troops resulted in decreased levels of violence.

At a general level, Sassoon argues that increases in refugees and IDPs were associated with overall levels of violence in Iraq. The Iraqi Red Crescent Organization (IRCO) listed the number of IDPs at roughly 46,000 in March 2006 and increased that number to approximately

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63 Packer, pp. 138-139.
64 Sassoon, p.1.
66 Sassoon, p. 5.
67 Sassoon, p. 10.
200,000 in August 2006 and 400,000 by the end of the year.\textsuperscript{68} Important to remember, Sassoon and others acknowledge that tracking and identifying displacement in Iraq was difficult because there were not massive population movements and large camps. However, Iraqis were leaving regularly and often staying with families or sympathetic host-communities.\textsuperscript{69}

**The Height of Violence: 2005 to 2007**

From the end of 2005 to the beginning of 2007, the majority of studies covering this period consistently point to it as the high watermark of violence. The number of refugees and IDPs peaked during this time. The number of enemy-initiated attacks on the Coalition and its partners were also highest during this period. These attacks included bombs and IEDs (Improvised Explosive Devices), mortars, rockets, surface to air missiles, sniper attacks, ambushes, grenade attacks, small arms fire, as well as attacks on government buildings and infrastructure.\textsuperscript{70} The highest numbers of Iraqi military and police were killed from the end of 2005 to 2007.\textsuperscript{71} Finally, the number of daily insurgent attacks in Iraq by province peaked during 2006 and 2007, with the most violent provinces being (in order of number of attacks) Baghdad, Anbar, Salah ad Din, Diyala, Ninawa, Tamim, and Basra.\textsuperscript{72}

Moreover, information pertaining to civilian deaths in research performed by Iraq Body Count, Brookings, Opinion Research Business, *The Lancet*, *The New England Journal of Medicine*, *PloS Medicine*, *The Associated Press*, and online sources such as *Antiwar.com*, *Just Foreign Policy*, and *Cost of War* all list the most dangerous, destructive, and deadly period in

\textsuperscript{71} Ibid.
Iraq as spanning from 2005 to 2007. The following graph, although limited to civilian deaths, reflects trends in all types of violence throughout Iraq:

Figure 7: IBC and Brookings Figures for Iraqi Civilians Killed 2003 – 2011

* Brookings 2011 Totals are through October.

In sum, given the information available, it is clear that the 2003 US-led invasion of Iraq caused unpredictable variation in levels, locations, and severity of violence throughout the country. Understandably, the most intense violence occurred during the immediate aftermath of the invasion, yet prolonged violence and civil war did not occur until 2005. There was a relative lull in violence during 2004 and a gradual increase in stability beginning in 2007. What, then, is responsible for this variation?

CHAPTER 2
THE BROADER CONTEXT

The next step will be to identify causes of violence. I will focus primarily on political dimensions, while also addressing historic, economic, sectarian, religious, and resource-based factors. To collect the information, I will look at primary sources such as newspapers and websites offering first-hand accounts of violence in Iraq. I will also review statements, press releases, and policy papers rendered by Coalition political and military leaders, as well as Iraqi political, military, and religious leaders that indicate motivations and objectives associated with violent tactics. Such information can be obtained from organizations like the International Crisis Group.\footnote{International Crisis Group, \url{http://www.crisisgroup.org/en.aspx}.}

After tracing the development of political transition policy from the American end of the process, I will examine the impact of such policies on political development within Iraq. Central to outlining and grasping the impact of key policy debates and directives will be collecting information from decision-makers and/or well informed personnel, much of it offered in the following biographies: George W. Bush \textit{Decision Points}, Dick Cheney and Liz Cheney \textit{In My Time: A Personal and Political Memoir}, and Douglas J. Feith \textit{War and Decision: Inside the Pentagon at the Dawn of the War on Terrorism}.

Along these lines, in attempting to uncover the details of Iraq’s evolving legal and political structure, and the violence associated with this evolution, I will examine both domestic and international organizations that focus on such processes. For example: the Iraqi Independent Electoral Commission,\footnote{Iraqi Independent Electoral Commission, \url{www.ieciraq.org}.} Amnesty International,\footnote{Amnesty International, \url{http://www.amnesty.org/en/region/iraq}.} and Human Rights Watch.\footnote{Human Rights Watch, \url{http://www.hrw.org/middle-east-n-africa/iraq}.} Gathering this
type of information will unearth a number of grievances espoused by Iraqis and therefore contribute to a better understanding of common threads of discontent.

A History of Conflict

Prior to the 2003 US-led invasion of Iraq, the country had experienced nearly twenty-three years of continuous war, enduring the Iran-Iraq War (1980-1988), the Persian Gulf War (1990-1991), stiff UN sanctions that disproportionally affected Iraqi civilians, and ongoing civil strife in the form of uprisings, separatist movements, and large numbers of refugees and internally displaced persons. Despite these previous hardships, levels of violence rose even more in the post-2003 invasion period.78

In attempting to identify the causes of violence, there is reason to focus on the political dynamics of the post-invasion period. During this time, the United States initially moved to establish an Iraqi Interim Administration (IIA) under the guidance of the Office of Reconstruction and Humanitarian Affairs (ORHA) headed by retired general Jay Garner. However, due to a number of factors, including Iraqi skepticism over the credentials and qualifications of Garner as well as the overall intent of the United States, ORHA lasted a little over three weeks. The United States then executed a stunning reversal of policy in which the establishment of an autonomous Iraqi Interim Government was subverted for a process dominated by the United States.79 In essence, the United States moved away from an Iraqi led process of political development and toward the establishment of the Coalition Provisional Authority (CPA) under Paul Bremer.

Authorized under United Nations Security Council Resolution 1483 (UNSCR 1483), the CPA was established on May 22, 2003. The CPA’s mandate gave it executive, legislative, and judicial authority over the Iraqi government until the CPA was dissolved on June 28, 2004.\textsuperscript{80}

Closely following the CPA’s inception, its director, Ambassador L. Paul “Jerry” Bremer, issued a set of crucial decisions at the national level: “He dissolved the Iraqi Army, he fired high-ranking Ba’thists from the civil service, and he stopped the formation of an interim government.”\textsuperscript{81}

At the local level, in order to deal with the collapse of Iraq’s administrative framework, when the US military occupied a territory it tried to “re-establish basic governance structures, using a variety of methods.”\textsuperscript{82} In smaller villages, there were typically local meetings to select a governing council and candidates would be chosen among the attendees. In larger cities, leaders were at times selected as a result of US military or intelligence efforts to promote specific candidates. The task of re-establishing government services was given first to civil affairs units of the US military and later to a series of experts in local government, primarily “private contractors working for the main US aid agency, United States Agency for International Development (USAID).”\textsuperscript{83} This critical period, when combined with a deteriorating security situation, resulted in the decay of Iraqi and international trust in the United States, culminating in a period of intense violence, followed by civil war.

\textbf{The Development of US Political Transition Policy}

\textsuperscript{80} Allawi, pp. 105-107.
\textsuperscript{82} Allawi, p. 118.
\textsuperscript{83} Allawi, p. 119.
It is difficult to understand the build up to the 2003 invasion of Iraq, and the planning that went into it, outside the context of 9/11. After the September 2001 attacks, the Bush administration committed itself to “take a fresh look at every threat in the world.”\textsuperscript{84} Iraq was considered, not just by the Bush administration but by many around the world, as dangerous on a number of levels. The administration identified Saddam Hussein’s Iraq as a state sponsor of terror, a sworn enemy of the United States, hostile towards its neighbors, in repeated violation of international demands (including sixteen UN resolutions dating back to the Gulf War), repressive towards its own citizens, and as a regime with a history of developing and using chemical weapons. Most importantly, from the Bush administration’s standpoint, Saddam’s regime had pursued, and was continuing to pursue, Weapons of Mass Destruction (WMD).\textsuperscript{85}

Within this context, President Bush and Vice President Dick Cheney determined that “there was no place more likely to be a nexus between terrorism and WMD capability than Saddam Hussein’s Iraq.”\textsuperscript{86} The administration thus pursued a dual track policy in which concurrent diplomatic and military pressures were built up in order to apply maximum leverage on Saddam Hussein to change course. Through the Secretary of Defense, Donald Rumsfeld, military planning for the invasion of Iraq was undertaken at Central Command headquarters in Tampa, Florida.\textsuperscript{87} CENTCOM’s invasion and reconstruction operations, under the command of General Tommy Franks, were divided into four phases: (I) preparations for a possible invasion; (II) shaping the battle space, beginning with the start of air operations; (III) decisive offensive operations and major combat operations, including complete regime removal; and (IV) post-

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\textsuperscript{85} Ibid.
\textsuperscript{87} Ibid.
hostilities stabilization and reconstruction.\textsuperscript{88} As this paper examines violence in Iraq after the invasion, the focus here will be primarily on Phase IV of the Iraq war plan.

Following major combat operations and fearful of being perceived as an occupying force, President Bush and his team assembled a ten-point plan that emphasized liberating Iraq. Somewhat at odds with the administration’s goal of transferring political authority quickly to an interim Iraqi government and avoiding a prolonged occupation, the Administration “developed plans for long-term reconstruction,” focusing on the following ten areas: education, health, shelter, water and sanitation, electricity, transportation, governance and rule of law, agriculture, communications, and economic policy.\textsuperscript{89} Although each area has relevance to levels of violence in Iraq after the invasion, President Bush identified questions concerning the development of a post-Saddam political system as some of the toughest.\textsuperscript{90}

In January 2003, President Bush issued a presidential directive, NSPD 24, establishing the Office of Reconstruction and Humanitarian Assistance (ORHA). This office was led by retired general Jay Garner and was based out of the Pentagon so that the civilian efforts in Iraq would be responsible to the same chain of command as the military. At this point, there was debate within the administration regarding the role of Iraqi exiles (externals) and potential leaders already living in Iraq (internals) in the new political system. President Bush did not like the idea of handing over post-invasion political authority to a group of Iraqi exiles and instead wanted Iraqi citizens to select their leadership. Thus, the goal was to run the political transition

\textsuperscript{89} Bush, pp. 248-249.
\textsuperscript{90} Bush, p. 249.
and humanitarian processes through ORHA, i.e., “turning conceptual plans into concrete action.”

At a conceptual level, Vice President Cheney believed that the debate over the proper role of internals and externals was counter-productive. The Vice President advocated for a provisional government, made up of externals and internals that would be ready to take over as soon as Saddam fell. At a practical level, this meant that ORHA was charged with supporting General Franks, who was responsible for managing all basic official functions of the government and for creating new government institutions in post-invasion Iraq. More precisely, in the weeks before the war began, ORHA was made up of between a hundred and two hundred people whose “purpose was to serve as a team of expert assistants for Franks – an organized set of civilians to help him fulfill his post-Saddam duties.”

Still, ORHA had a limited mandate, as it was not directly responsible for governing Iraq. Aware of this limited mandate, General Garner focused on issues of “humanitarian relief, refugees, maintaining basic services and ensuring law and order.” However, as a result of waiting for the security situation to improve after initial military operations, Garner and his staff did not arrive in Baghdad until the third week of April 2003. Later, when faced with violence, the breakdown of law and order, looting and destruction of infrastructure, ORHA pursued two strategies. First, it attempted to reconstitute significant portions of the old Iraqi administration by recalling officials to their posts, establishing temporary offices, and guaranteeing salaries. Second, ORHA, and Garner specifically, attempted to initiate a political process that would involve the Iraqis themselves in forming their future government. This process included a series

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91 Ibid.
92 Cheney, p. 387.
93 Feith, p. 349.
94 Ibid.
of meetings organized by General Garner in which the goal was to gather a suitable pool of Iraqi leaders.96

Paralleling this effort, General Garner worked to implement an Iraqi Interim Authority (IIA), a proposal put forth by the office of Douglas Feith, then Under Secretary of Defense for Policy and focused primarily on Phase IV of the war plan.97 As a concept, the IIA was debated at meetings on March 1 and March 7, 2003 but was not yet a detailed plan. Nevertheless, The IIA was designed as a power-sharing agreement between Iraqi leaders and Coalition officials. Theoretically, through a formal agreement, the two groups would comprise the transitional civil authority on the path to full Iraqi self-rule. The United States would avoid maintaining an occupation government and aim to hand over power of Iraq’s military and economic assets once the Iraqis demonstrated competency in managing other government ministries, such as Foreign Affairs, Religious Affairs, Justice, and Agriculture.98

On the one hand, the IIA was envisioned as a mechanism through which the US could work with Iraqis to prevent the problems that motivated the invasion, e.g., concerns over Saddam’s threats of international aggression, support for terrorists, and WMD. In this objective, the US would retain specific authority over relevant ministries until they could be handed to the Iraqis one by one. On the other hand, the key task of the IIA would be to organize a constitutional commission and elections, which would result in a fully formed Iraqi government that would replace the IIA. Initially, the idea was to establish “an IIA executive council of twenty-one persons who would elect a chairman from among their number. US officials would not ‘anoint,’ or even appoint the chairman.”99

96 Ibid.
97 Feith, pp. 402-403.
98 Feith, pp. 403-405.
99 Ibid.
In the initial weeks after the invasion, General Garner believed he was “on the verge of a political breakthrough in setting up the IIA.” However, according to President Bush, with the proliferation of looting, crime, and violence that came with the invasion, the “security vacuum was accompanied by a political vacuum.” President Bush then made the decision to appoint Ambassador L. Paul “Jerry” Bremer as an American administrator that would be responsible for providing order during the effort to put a legitimate Iraqi government in place. This idea turned into the Coalition Provisional Authority, authorized by a United Nations resolution, and gave the CPA executive, legislative, and judicial authority over the Iraqi government.

**With the Coalition Provisional Authority – A New Direction**

Although President Bush approved the IIA concept on March 10, 2003, it was never reaffirmed, and with Ambassador Bremer on the ground in Iraq, the CPA was given tremendous leeway in terms of shaping events. At the expense of transferring sovereignty quickly to the Iraqis through the IIA, Bremer aimed to accomplish a set of political benchmarks considered crucial by the Administration. These benchmarks included handing responsibility back to the Iraqis by holding national elections, producing a constitution, and helping to facilitate elections of a parliament and prime minister. In a sense, the CPA was implemented in order to slow down the political transition process to ensure that violence and the insurgency were kept under control, which would allow Iraqis to build a democracy.

Writing for the *Washington Post* in 2011, Bremer highlights how the CPA had assisted the Iraqis in forming a constitution. Bremer explains that on March 1, 2004, Iraq agreed to a

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100 Feith, p. 423.
101 Bush, p. 258.
102 Ibid.
103 Feith, p. 436.
104 Cheney, p. 432.
“modern constitution, one of the most progressive in the Middle East,” and which provided a framework for basic human rights, including women’s rights, freedom of religion, and freedom of the press.\textsuperscript{105} Moreover, Bremer argues that the document established the rule of law to replace Saddam’s monopoly on power, which included an independent judiciary and the right to an open trial. Finally, the new constitution created a new political structure with a bicameral parliament and a federal system.\textsuperscript{106}

Setting aside these ambitious goals, Paul Bremer and the CPA became controversial on a number of fronts. On May 12, 2003, upon arriving in Iraq for the first time, Bremer wanted to convey a theme for his tenure: “the Ba’thists are not coming back.”\textsuperscript{107} Four days later, Bremer issued CPA order No. 1, “De-Ba’thification of Iraqi Society.” A week later, on May 23, he issued CPA order No. 2, “Dissolution of the Iraqi army.”\textsuperscript{108} Although a full critique of these orders is beyond the scope of this paper, their intended effect was to rid Iraqi society of former Ba’th leaders during the Saddam era.

Concerning de-Ba’thification, only the top 1 percent of the two-million plus party members would be barred from working in government institutions. Similarly, the dissolution of the Iraqi army was meant to send a signal that Saddam’s security apparatus was no longer intact. More specifically, the Iraqi army had a top-heavy structure, corruption was rampant, the officers (mostly Sunni) brutalized non-officers (mostly Shi’a), and the army had perpetrated large-scale atrocities against Iraqi Kurds and Shi’a.\textsuperscript{109}

\textsuperscript{106} Ibid.
\textsuperscript{107} Feith, p. 427.
\textsuperscript{108} Feith, pp. 428-429.
\textsuperscript{109} Feith, p. 431.
Yet, despite the intended outcomes of these orders, they were roundly criticized. Many argued that de-Ba’thification sidelined pro-coalition Iraqi government officials, unfairly punished skilled technocrats, and created the impression that Iraq no longer had a place for the Sunni population. Similarly, disbanding the Iraqi army disenfranchised important segments of Iraqi society by producing large numbers of young, unemployed and armed soldiers, which in turn set the stage for widespread civil disorder and political turmoil.

In May 2004, the *Wall Street Journal* offered a deeper critique of the CPA’s new role in Iraq:

> As Washington prepares to hand over power, U.S. administrator L. Paul Bremer and other officials are quietly building institutions that will give the U.S powerful levers for influencing nearly every important decision the interim government will make. In a series of edicts issued earlier this spring, Mr. Bremer’s Coalition Provisional Authority created new commissions that effectively take away virtually all of the powers once held by several [Iraqi] ministries.\(^{110}\)

The larger critique is that the CPA was the symbol of direct foreign rule over Iraq for more than a year. Some of the stronger (perhaps cynical) denunciations of the CPA claim that Bremer’s “main strategy was to use the full force of the U.S. military to assert the occupation’s monopoly on the means of coercion,” while seeking to “construct a new, privatized administrative apparatus aimed at managing all enterprises from prisons to the electrical grid.”\(^{111}\) This last critique notwithstanding, many ultimately recognized that the CPA’s extended authority hurt the United States in Iraq.

Vice President Cheney explained that the Administration “could have avoided the impression of an American occupation had [they] established a provisional Iraqi government from the outset.”\(^{112}\) Likewise, President Bush reflected:

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\(^{112}\) Cheney, p. 433.
In retrospect, I should have insisted on more debate on Jerry’s orders, especially on what message disbanding the army would send and how many Sunnis the de-Baathification would affect. Overseen by longtime exile Ahmed Chalabi, the de-Baathification program turned out to cut much deeper than we expected, including mid-level party members like teachers. It is possible we would have issued the orders anyway. They were tough calls, and any alternative would have created a separate set of problems. Had the Shia concluded that we were no serious about ending the era of the Baath Party, they may have turned against the coalition, rejected the goal of a unified Iraqi democracy, and aligned themselves with Iran. There is no way to know for sure what would have happened, but the discussion would have better prepared us for what followed.\textsuperscript{113}

As it happened, Bremer seemingly overstepped his bounds when in an op-ed published in the \textit{Washington Post} on September 8, 2003 he presented a seven-point political transition plan for Iraq. Without telling the Bush administration, the article implied a multi-year-timetable in which the CPA would remain Iraq’s occupational government until all seven steps had been achieved.\textsuperscript{114}

Crucially, as a result of the September 8 article, Bremer went against the implementation of the IIA concept. As Douglas Feith points out, “even before Bremer arrived in Iraq – for the first time in his life – he judged the new Iraqi political leadership incapable of handling an early transition of power.”\textsuperscript{115} Once in Iraq, Bremer still did not believe the Iraqis were ready to take over. Instead, Bremer felt that the Iraqi Government Council, which was intended to take responsibility for key ministries and prepare for a formal return to sovereignty, and was created by Bremer himself, lacked public support.\textsuperscript{116} In Bremer’s view, the members of the Iraqi Governing Council were not representative of the Iraqi people and therefore had no “mandate” to exert independent power as Iraqi officials.\textsuperscript{117}

Ultimately, the CPA was dissolved in late June 2004. The Bush administration had attempted to organize a smooth political transition process, first supported by ORHA and later

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\textsuperscript{113} Bush, pp. 259-260. \\
\textsuperscript{115} Feith, p. 440. \\
\textsuperscript{116} Bush, p. 259. \\
\textsuperscript{117} Feith, p. 454.
\end{flushright}
taken over by the CPA. Given the quick nature with which the initiatives were assembled and the enormity of the task with which they were charged, it is not difficult to see how the political transition stalled. The task of “liberating” Iraq took on the “taint of occupation”\textsuperscript{118} and ordinary Iraqis became increasingly disillusioned and hostile toward the US presence in Iraq. Nevertheless, US and Coalition personnel continued to work tirelessly to help Iraq make the transition to democracy. Their successes and failures are the topics to which we now turn.

**National Coalition Policy and the Impact at the Provincial Level**

From the outset of the invasion, Iraqis expected improvements in their everyday lives. There was the belief that Western and Coalition technology and political capability could produce tangible results at the local level. Yet, Iraq under Saddam Hussein had created a massive centralized bureaucracy that had provided services and managed nearly every aspect of society and the economy. For the Coalition, such a system was nearly impossible to maintain, reproduce, or replace.\textsuperscript{119} More specifically, and in a political sense, the true power brokers of Iraqi political society in post-Saddam Iraq remained obscure or unknown. While Saddam was in power, public prominence was only tolerated on terms set by the Ba’th Party, which mean compliance with Saddam’s policies. Given Bremer’s De-Ba’thification order, such leaders were more often than not disqualified from formal post-invasion political positions.\textsuperscript{120} This created a number of challenges for the Coalition in terms of attempting to establish a new democratic political system for Iraq.

\textsuperscript{118} Feith, p. 457.
\textsuperscript{120} Tripp, p. 279.
At the national level, there was a lack of consistent policy regarding those who controlled the levers of political power. Between UN control and American control, there was a third option in the form of an interim Iraqi government. As covered previously, such an interim government could have avoided members that were hand-picked favorites by the Pentagon, and instead been arranged by a national conference under international supervision, and which included Iraq’s many constituencies. Yet, this was not a plan Bremer seemed willing to consider, much less implement.\textsuperscript{121} Such national-level policy decisions had a profound impact on provincial policy, particularly because it led to disjointed, non-uniform procedures for selecting political representatives.

Rory Stewart, a senior official of the Coalition Provisional Authority from 2003 to 2004, explains in *The Prince of the Marshes: And Other Occupational Hazards of a Year in Iraq*, that Coalition policy coming from Baghdad was often chaotic and disorganized. Working first as the acting governorate coordinating in the Maysan province, Stewart was responsible for organizing a caucus system for electing a new national-level Iraqi government. Stewart explains that the CPA directive emanating from Baghdad was for “organizing committees” made up of members of provincial councils, the governing council in Baghdad, and five members from district councils. This group of fifteen would then “collect nominations and appoint candidates for the new assembly in Baghdad.”\textsuperscript{122} The intention was to create a layered approach to selecting a national-level government produced from provincial-level representatives. Yet, the process was difficult to convey to Iraqis and difficult to implement, especially because few Westerners outside of Iowa understood how a caucus system worked.\textsuperscript{123}

\begin{itemize}
\item \textsuperscript{121} Packer, p. 213.
\item \textsuperscript{122} Stewart, p. 147.
\item \textsuperscript{123} Ibid.
\end{itemize}
In addition to the uneven process for selecting national representation, ad-hoc methods were also used to establish provisional leaders. In Najaf, during the early stages of the occupation, Marine commanders organized an election for the provincial government. However, the CPA in Baghdad called it off at the last minute when it was discovered that unfavorable candidates, such as former Ba’thists and politicians with close ties to Iran, would likely fare well in the contest. The cancelation sparked outrage and caused the people of Najaf to doubt the Americans’ true dedication and commitment to democracy.

Similarly disorganized methods were used in other provinces throughout 2003 and 2004. In Maysan the initial provincial supervisory committee, in tandem with the CPA, was charged with filling the political vacuum left by Saddam. Some members of this committee were appointed by the Coalition while others were selected by a well-known tribal leader in Maysan, Karim Mahood Hattab, also known as the Prince of the Marshes.

The Prince was a famous resistance leader of the marsh Arabs in Iraq, a Shi’a group that rose up against Saddam after the first Gulf War and later paid the price as the US had initially encouraged their resistance and later abandoned the cause. Without fear of US intervention, Saddam crushed the Shi’a uprising in 1991 by slaughtering thousands, draining the marshes, bombing marsh villages, and turning thousands of acres of wetland into desert. Across Iraq, rebuilding trust was crucial, and CPA officials had to remember and understand historical, cultural, and personal dynamics if restructuring local government structures was to be successful.

124 Packer, p. 189.
125 Ibid.
126 Stewart, p. 95.
127 Cheney, p. 371.
129 Cheney, p. 371.
Specific to Maysan, in order to administer the affairs of the province, i.e., pay political leaders, teachers, police, and complete reconstruction projects, Stewart and his team needed to form a new provincial council that would replace the supervisory committee and put the province on path to selecting a governor. This was to be accomplished with minimal CPA involvement and without holding elections. The CPA prevented Maysan and other Iraqi provinces from holding early elections, in part, because “in Bosnia early elections produced bad parties and sectarian split.”

This strategy caused problems related to the selection of both the provincial council and the governor of Maysan. Stewart explains, not unlike other CPA officials working in surrounding provinces, that in choosing members for the provincial council, he had to weigh whether or not to include those Iraqis with ties to the Ba’th Party, Iran, and criminal or smuggling networks. Marginalized communities such as women, Sunnis, Christians, and Sabian followers of John the Baptist were also sensitive and important considerations. Moreover, Stewart had to decide whether to include popular Iraqis that in some cases lacked basic qualifications related to literacy, technocratic experience, and knowledge of police and other government institutions. In the end, Stewart appointed what he felt to be a representative and balanced council, and intended to give the members “clear autonomy, responsibility, and its own budget, so that it could run the province as soon as possible.”

Later, after the provincial council had been appointed, the process of selecting a governor of Maysan turned out to be equally unstructured. Although Stewart and the CPA could have simply appointed a governor of Maysan, or pushed the CPA in Baghdad to hold an election, they instead “constructed a ‘representative’ council and allowed them to elect a man who was neither

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130 Stewart, p. 296.
131 Stewart, pp. 95-97.
[Stewart and the CPA’s] choice nor the people’s.”\textsuperscript{132} In Maysan and throughout Iraq, CPA officials worked hard to reconcile fractured elements of society by balancing the interests of the various tribes, including the Sadrists, Iranian-linked parties, and people from diverse socio-economic, educational, and cultural backgrounds. Yet, despite these good intentions and those of top US policymakers, the Coalition simply failed to produce a unified and coherent policy of political transition, and there were severe consequences.

A Brief Look at Iraq’s Major Ethno-Religious Groups in the Years 1970 to 2003

\textit{Iraq’s Shi’a Population}

Directly following the fall of the Ba’th regime, Iraq’s Shi’a population stood to play a critical role in molding the nation’s future. For the first time in modern history, Iraq’s Shi’a – comprising over half of Iraq’s population – were in a position to secure “a share of power commensurate with their demographic weight.”\textsuperscript{133} Although separated by urban/rural, religious/secular, ideological and tribal distinctions, Iraq’s Shi’a historically have not considered themselves in explicit religious terms or cultivated a distinct sense of common identity. Nevertheless, enduring difficult and repressive years under Saddam Hussein produced powerful bonds of “sectarian solidarity.”\textsuperscript{134} These bonds were to become reinforced following the US invasion of Iraq.

In de-emphasizing the potential cleavages in Iraqi society, the United States underestimated the power and ambitions of the majority Shi’a population of Iraq, which was long suppressed under Saddam Hussein. Often, Shi’a religious and political leaders sought to

\begin{itemize}
  \item \textsuperscript{132} Stewart, p. 258.
  \item \textsuperscript{133} “Iraq’s Shiites Under Occupation,” \textit{International Crisis Group} (Baghdad/Brussels: ICG Middle East Briefing, 2003), p.1
  \item \textsuperscript{134} Ibid.
\end{itemize}
distance themselves from the United States during the initial phases of the invasion, while taking care not to alienate key US officials and miss opportunities to acquire political power. Nevertheless, the potential for Shi’a resistance to the US occupation was ever present and dependent upon the following three areas of concern: (1) the redistribution of power in favor of the Shi’a; (2) the restoration of basic services; (3) the re-imposition of law and order, and the containment of terrorism. The United States came up lacking on all three fronts.\textsuperscript{135}

\textit{Iraq’s Kurdish Population}

As an ethnic group, Iraq’s Kurdish population makes up roughly 15\% to 20\% of Iraq’s total population and primarily lives in Northern Iraq. Although most Kurds are Sunni Muslim, they “differ from their Arab neighbors in language and customs.”\textsuperscript{136} Having deep ethno-religious and cultural ties, the Kurdish population has long held a substantial degree of autonomy both within Iraq as well as in the bordering countries of Turkey and Iran. Since the late 1960s, the Kurds have sought and achieved rights related to a distinct national identity, language, significant participation in government, and predominance in local administration.\textsuperscript{137} Yet, as an oil-rich region of Iraq and powerful counter-weight to Ba’th hegemony, Kurdish leadership frequently battled with and was suppressed by Saddam Hussein. Most notably, Kurds suffered the violent campaign known as \textit{al-Anfal} (the spoils of war) in 1987-1988. In this series of attacks, Kurdish villages in Northern Iraq were hit with chemical weapons and large-scale executions by Saddam’s forces. Ultimately, of the three governorates of the Kurdish autonomous region,

\textsuperscript{135} Allawi, pp. 187-188.
approximately 80% of all the villages had been decimated, while “much of the agricultural land was declared ‘prohibited territory’ and possibly 100,000 people had lost their lives.”\textsuperscript{138}

A well-known and “oft-repeated Kurdish proverb says that the Kurds have no friends but the mountains.”\textsuperscript{139} Thus, post-2003, the Kurdish population and political leadership was an understandable ally of the United States. Seeking to formalize political representation and influence, Kurdish political leaders often made both public and private agreements with the United States to include specific political guarantees. Such assurances often related to issues of constitutional rights, electoral procedures that safeguarded minority groups, and securing key positions in Iraq’s interim and transitional governments. While cognizant of the overriding constraints on its behavior, Kurdish leadership “adopted a shrewd and realistic strategy” to maintain the \textit{de facto} independence of Kurdistan.\textsuperscript{140} With this objective firmly in place, “Iraqi Kurds made a strategic decision to participate fully in the Iraqi national project, support the U.S. occupation, and work to accelerate the political and economic development of the Kurdistan Region.”\textsuperscript{141} Similarly, the United States eagerly sought Kurdish cooperation on a number of issues. This partnership, of course, did not go unnoticed by Shi’a, Sunni, and other religious and political groups and would play a major factor in the subsequent instability of Iraq.

\textit{Iraq’s Sunni Population}

Primarily Arab, the Sunni population makes up approximately 32\% to 37\% of Iraq’s Muslims. Prior to the 2003 invasion, Iraq’s Sunni Arab community had “deliberately avoided using a sectarian label, and never acknowledged that Iraqi politics was based on sectarian

\begin{footnotesize}
\textsuperscript{138} Tripp, p. 236.
\textsuperscript{139} Matan Chorev, “Iraqi Kurdistan: The Internal Dynamics and Statecraft of a Semistate,” \textit{Al Nakhlah}, The Fletcher School Online Journal for Issues Related to Southwest Asia and Islamic Civilization (Fall 2007), p. 4
\textsuperscript{140} Chorev, p. 7
\textsuperscript{141} Ibid.
\end{footnotesize}
advantage.” The majority of former high-ranking Ba’th officials were of Sunni Arab background. Moreover, in order to occupy top positions in universities, hospitals, governmental and non-governmental jobs, and most importantly, top military and intelligence positions – one typically came from the Sunni Arab community.

As a consequence of the invasion, Sunni Arab opinion fell into three broad trends. First, there was a small contingent that accepted the downfall of Ba’th regime, and to varying degrees, moved away from politicizing ethnicity and sectarianism, and instead embraced liberal, secular, and democratic discourses focused on human and gender rights, democratic institution-building, and a general pro-western orientation. This was the minority trend in thought because few Iraqis had been exposed to the liberal democratic tradition. The second trend included those that had opposed Saddam, in public or in private, and tended to involve some lawyers, professionals, and members of the Iraqi Islamic Party (IIP). The third and largest school of thought firmly rejected the occupation and its justifications. This group encompassed the “leadership class of the old Ba’athist order, including senior bureaucrats and diplomats, various categories of administrators, academics, cashiered officers, intelligence officials, businessmen, traders and tribal chiefs.”

As the insurgency gained in strength, it became clear that these actors provided the network through which much of the opposition was conceptualized and carried out.

Important to note, although there are important distinctions to be made between Iraq’s primary ethno-religious and political groups, “Iraqi Shiites, Sunnis and Kurds do not form homogeneous political or sociological categories.” Indeed, the above categorization is first-and-foremost a reference point to begin to unravel the complex make-up of Iraq. Yet, this

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142 Allawi, p. 135.
143 Ibid.
144 Allawi, pp. 135-136.
groundwork is essential to understanding how the United States underestimated, misinterpreted, and oversimplified Iraq’s social, religious, and political composition. As the International Crisis Group accurately foresaw in 2003:

Accepting such oversimplified notions risks exacerbating and politicising their differences, thereby complicating the task of preserving Iraq’s territorial and political integrity, threatening its secular character and increasing the risk of hardening communal identities that, to date, have been more a reflection of state policy than indigenous feeling.  

With these complex and nuanced background considerations in mind, it is important to examine how the United States and Coalition partners attempted to manage the post-2003 political transition in Iraq.

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CHAPTER 3

THE POLITICAL TRANSITION PROCESS

The inability of the United States and Coalition partners to quickly and effectively implement an inclusive political transition process was the primary factor in creating discontent among Iraqis, and therefore increased the probability of violence and instability throughout the country.

From the outset, a distinction needs to be made regarding types of violence and their various root causes. It would be naïve to ignore the historical context from which Iraq emerged in 2003 and attribute all varieties of violence to the invasion. Although the upheaval following the invasion was severe, Iraqis had endured a series of coups and widespread political violence during the 1950s and 1960s, the rise of the Arab Socialist Ba’th party and with it the fierce authoritarianism of Saddam Hussein, the bloody Iran-Iraq War, the 1990-1991 Gulf War, and a consistent degradation of Iraqi society. The United States and international community did not enter a vacuum. To be sure, the ‘day after’ the 2003 invasion cannot be understood as day one. Continued power struggles and the desire for revenge marked the pre-2003 Iraqi landscape. Therefore, in attempting to comprehend the root causes and various types of violence, it is crucial that Iraq not be treated as “tabula rasa.”\(^\text{147}\)

Nevertheless, violence can be separated into broad categories ranging from political, economic, opportunistic, religious, cultural, tribal, personal, and of course, violence directly stemming from military confrontation. Within these categories, there are differences in those individuals committing acts of violence and the victims or fellow perpetrators that such acts are being committed against. For example, there was (and continues to be) sectarian, inter-sectarian, anti-occupation, and international violence. This may take the form of Shi’a vs. Shi’a, Shi’a vs.

\(^{147}\) “War in Iraq: Political Challenges After the Conflict,” p. i.
Sunni, or Sunni vs. American/Multi National Force, to name only a few parties in conflict. The key point is that the various types of violence and the relevant actors involved need to be disaggregated in order to identify the primary sources of a diverse range of violence.

Relative to poor governance and a failure to implement adequate security policy, the absence of security enabled all types of violence. With the rise in kidnappings, robberies, rapes, and killings of Iraqis, there was a steep decline of trust in the Coalition. Although “Iraqis never had been particularly welcoming of the U.S. presence,” there was a subtle and persistent shift in the reception the coalition received.\textsuperscript{148} This shift directly corresponded to the rise of violence and the deteriorating security situation. According to a survey conducted for the CPA in November 2003, almost half of Iraqis polled – roughly 47\% – expressed confidence in the CPA. By March 2004, that number had fallen to 14\%.\textsuperscript{149} In failing to train Iraqi police and military forces, the lack of security clearly impacted the everyday lives of Iraqis. What is less clear, and what this research hopes to illuminate, is the connection between inadequate security, ineffective political transition policy, and violence.

This research argues that the US-led political transition process contributed to an increase of all types of violence in Iraq – but not that all types of violence are equivalent. Meaning, for instance, political grievances that became violent protests, which turned into looting and perhaps included revenge killings between rival groups cannot be simply attributed to the political transition process. Rather, the research intends to tease out the various dynamics related to root causes of violence and identify those instances specifically linked to political processes. There is also a general attempt to track total levels of violence throughout Iraq from 2003 to 2011.

\textsuperscript{149} Ibid.
Upon surveying levels and types of violence, it is increasingly clear that heightened and prolonged levels of violence correspond with political failings. Accordingly, examining political developments in Iraq, those which underscore US influence on major political policies and events, helps to establish a solid platform from which to analyze the connection between violence and political transition policy.

Thus, the explanatory variable is the *US-led political transition process*, including efforts to: (a) establish an Iraqi Interim Government and hold elections; (b) structure security policy; (c) influence the development of the Iraqi constitution; and (d) integrate or isolate key religious and political leaders into the emerging political system. The dependent variable is *violence*, including number of total deaths, kidnappings, robberies, attacks, suicide attacks, and destruction of property.

It is clear that poor governance played a role in post-2003 instability in Iraq. Yet, the extent to which the US-led political transition process actively fueled violence remains a matter of conjecture. Thus, the specific policies of the CPA, combined with the policies of Iraq’s interim administrations, need to be considered in the context of levels of violence within the country. For this reason, the aforementioned explanatory and dependent variables are appropriate units of analysis.

The explanatory variable (US-led political transition process) increased the probability of the dependent variable (violence) in a number of ways. Public outrage at members of the Interim Government appointed either by the United States or by Iraqis following the directions of the US, is well documented. CPA security policy regarding de-Ba’thification, the disbandment of the Iraqi Army, the banning of militias, and the structuring of Iraqi security forces bares directly on disenfranchising, arming, and alienating large numbers of Iraqis formerly employed in the
security sector. The CPA’s advocacy of an Iraqi constitution written by unelected representatives was explicitly opposed by Iraq’s most powerful Shi’a cleric, Grand Ayatollah Sayyid Ali al-Husayni al-Sistani.\textsuperscript{150} The CPA’s refusal to acknowledge, much less work with, powerful Shi’a political actors such as Sayyid Muqtada al-Sadr set the stage for large political protests against US policy, protests that at times turned violent.

While it is possible that ineffective government led to the rise of all types of violence in post-2003 Iraq, the root causes of violence are context-specific. Although levels of violence spiked throughout Iraq from 2005-2007, violence occurred in different regions, for different reasons. Thus, this research will not make the case that causes of violence in certain Iraqi provinces are nationally representative of others; rather, it will explore how the US-led political transition process directly contributed to violence throughout Iraq.

\textbf{The Contribution of Major Political Events on Levels of Violence}

The broader causes of violence in post-invasion Iraq are numerous and well-known. A history of religious, ethnic, and sectarian pressure previously contained by a repressive dictatorship caught fire in the absence of adequate security. The army was disbanded, senior government officials that were formally Ba’thists were purged from the new system, the police force disappeared, and US troops were given orders not to intervene in the face of widespread looting and crime. There were also deliberate attempts to stoke the embers of sectarian divides by people like the founder and late head of al Qaeda in Iraq, Abu Musaib al-Zarqawi, a Jordanian born terrorist so violent and brutal that his own followers nicknamed him “the stranger.”\textsuperscript{151}

\textsuperscript{150} Important to note, Sistani specifically called upon Shi’a Muslims not to attack Sunnis during periods of heightened tension between the two groups.

However, the specific political policies that led to heightened tension and increased the probability of violence across Iraq are less clear, and often, specific causes of violence are identified at the expense of investigating how the political transition process itself could have contributed to overall violence in Iraq. Thus, this section will examine the relationship between the US political transition policy and violence.

Data on violence occurring within provinces, when combined with information on the political transition, is valuable because it can shed light on how different provinces were affected by political policies. For example, it might be expected that political policies that guaranteed a variety of political rights to majority Kurdish populations in Iraq’s northern provinces led to relative stability and less violence; while such policies produced tension and skepticism among Iraq’s Sunni and Shi’a political leaders, resulting in a rejection or even boycott of the political process.

Looking at levels of violence within cities and across provinces is also useful in terms of mapping and comparing the impact of political processes in different regions of Iraq. For instance, looking at the predominantly Shi’a provinces in southern Iraq is particularly relevant for two reasons. First, The Arab Shi’a are the majority population of Iraq. As an ethnic group, Arabs make up 75% to 80% of Iraq’s roughly 30 million people. While not necessarily Arab, Iraq’s Shi’a population comprises 60% to 65% of Iraqi Muslims. Thus, US political transition policy could have been expected to pay added attention to Iraq’s majority ethno-religious group. Second, as an ethno-religious group, the Arab Shi’a of Iraq were repressed under Saddam Hussein. Any restructuring of Iraq’s political system should have anticipated a renewed effort on behalf of the Shi’a to assert political rights proportional to their demographic size.

The purpose of examining the Coalition’s particular policies is not to make the argument that they had the same impact across Iraq. Instead, the aim is to understand the specific failures of US political transition policy to account for specific challenges and connect those failures to increased levels of violence. Ideally, developers of US political transition policy could lean on such information for future interventions in countries with diverse and complex demographic characteristics.

**Flawed Elections**

The January 2005 elections helped to put Iraq on a path to all-out civil war.\(^{153}\) In elections meant to establish a transition government, on 30 January 2005, Iraqis voted for a Transitional National Assembly. This assembly included national council representatives, provincial council representatives in all eighteen governorates, and in northern Iraq, a regional parliament for Kurdistan. Although the elections were unprecedented and momentous, they were also marred by widespread mismanagement and corruption, and therefore were deeply flawed.\(^{154}\)

Before the elections took place, Iraq faced an array of challenges. Eighteen months after the fall of the Ba’athist regime, Iraqis were preparing for elections in a society that been viciously unsettled. Violence was increasing and “every basic tenet of society had been disrupted in ways that would have a profound effect on the electoral outcome.”\(^ {155}\) Questions of identity that had been suppressed or ignored during the Saddam era were rising to the surface and

\(^{154}\) Ibid.
\(^{155}\) Allawi, p. 370.
whether a person was secular, religious, Kurd, Arab, Turcoman, Shi’a, or Sunni were becoming life and death issues.\footnote{Ibid.}

In Shi’a areas, the popular movement led by the cleric Muqtada al-Sadr openly rejected the elections as long as Iraq remained under foreign occupation.\footnote{One caveat is that although the Sadrist did not participate in elections as a party, Sadr did allow his followers to vote and run for office as individual candidates. For more information see, International Crisis Group (ICG), “Iraq’s Civil War, the Sadrist and the Surge,” Middle East Report no. 72, February 7, 2008.} In Sunni areas, with the notable exception of the Iraqi Islamic Party, local political leaders called for an election boycott, which was largely observed. On the ground, would-be voters faced a growing insurgency that ultimately stifled popular participation through threats and violence.\footnote{“Iraq’s Provincial Elections: The Stakes,” p. 2.}

Remarkably, despite a near-universal boycott in Sunni areas and about 300 terrorist attacks throughout the country,\footnote{Kenneth Katzman, “Iraq: Elections, Government, and Constitution,” \textit{CRS Report for Congress}, November 20, 2006, accessed March 15, 2012, \url{http://fpc.state.gov/documents/organization/76838.pdf}.} roughly 8.5 million Iraqis voted in the January 2005 elections, which amounted to nearly 60% of eligible voters.\footnote{Iraqi Independent Electoral Commission, \url{www.ieciraq.org}; see also, the Independent High Electoral Commission of Iraq, \url{http://www.ihec-iq.com/en/}.} Yet, key constituencies such as Sunni Arabs and the Shi’a from poorer neighborhoods were excluded from power in both national and provincial councils. The imbalanced councils failed to reflect popular needs and added to a growing set of local grievances, thus contributing to higher levels of instability and violence.\footnote{“Iraq’s Provincial Elections: The Stakes,” p. i.}

The Bush administration political transition policy was in many ways largely responsible for the planning, execution, and outcome of the 2005 elections. From the outset, US transition policy was driven by a set of benchmarks. In particular, holding elections was crucial to the Administration’s strategy of democratizing Iraq – and in the absence of WMD – legitimizing the Invasion. However, the implementation of Bush’s strategy resulted in a number of crucial errors.
Specifically, the Coalition Provisional Authority issued two problematic orders. First, on 6 April 2004, CPA order 71 produced a set of regulations that were intended to manage the powers of the to-be-elected governorate councils. In essence, these regulations aimed to empower councils to organize local government, determine the governorate’s priorities, alter development and reconstruction projects, as well as independently generate and collect local revenues. Yet, after the 2005 elections, CPA order 71 left the councils without “meaningful input into the governorate’s budget” and because they were unable to influence the allocation of the national budget, the councils “often felt toothless.”\textsuperscript{162} Moreover, the inability of councils to produce results led to widespread discontent among a diverse set of constituencies.

Secondly, in their rush to produce results, the Bush administration opted for an easier method of conducting national elections. CPA order 96, issued on 15 June 2004, stipulated that Iraq would be organized as one electoral district to elect 275 members of a Transitional National Assembly, as opposed to a “series of constituencies or regionally based or provincially based electoral districts.”\textsuperscript{163} Although there were practical reasons supporting this decision, including a lack of Iraqi political agreement on constituency boundaries, US gerrymandering was obvious and counterproductive. A wide range of Iraqi political actors were alienated by thinly veiled US attempts at reducing the potential influence of Islamists in the upcoming elections as well as the imposition of Western political values (such as calling for every third political candidate to be a woman). These efforts “smacked of the usual wishful thinking of CPA staffers and advisors” and reduced the ability of Iraqis to own their political transition process.\textsuperscript{164}

\textbf{A Controversial Development of the Constitution}

\textsuperscript{162} “Iraq’s Provincial Elections: The Stakes,” p. 1.
\textsuperscript{163} Allawi, p. 335.
\textsuperscript{164} Ibid.
At the time, the victors of the January 2005 elections were under enormous domestic and international pressure to draft a viable constitution. The elections brought important legitimacy to the parties that governed Iraq since the fall of Saddam. Yet, while mainly free and fair, the elections also reinforced sectarian divisions. Sunni Arabs largely absented themselves from the process, while Shi’a and Kurdish politicians neglected to make good on their promises to compromise with their Sunni counterparts. Perhaps most importantly, because of the Sunni boycott of the 2005 elections, Sunnis were left underrepresented at all levels of government, including the security apparatus and the committee to draft Iraq’s permanent constitution. Shi’a and Kurdish politicians struggled to incorporate Sunni leaders in a way that would reduce sectarian tension and set the stage for the drafting of an inclusive constitution.\footnote{Joost Hiltermann and Gareth Evans, “Iraq's Constitution Must Be Inclusive, not Hasty,” Financial Times, June 13, 2005, retrieved from International Crisis Group website, accessed March 20, 2012, \url{http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/iraq/op-eds/iraqs-constitution-must-be-inclusive-not-hasty.aspx}.}

As an outcome of the January 2005 elections, Iraqi voters determined the members of the Transitional National Assembly. This assembly, as mandated by the Coalition Provisional Authority’s Transitional Administrative Law (TAL), was responsible for selecting a Constitutional Committee that, in turn, was charged with preparing a draft constitution by 15 August 2005.\footnote{International Crisis Group, “Iraq: Don’t Rush the Constitution,” Middle East Report, No. 42, June 8, 2005, accessed March 20, 2012, \url{http://www.crisisgroup.org/en/publication-type/media-releases/2005/mena/iraq-dont-rush-the-constitution.aspx}.} The TAL, established on 14 March 2004, set a short and difficult timetable for drafting an inclusive, transparent, and durable constitution that would benefit future generations of Iraq.\footnote{Ibid.}

From the beginning, the Bush Administration was intent on helping the Iraqis to establish a strong constitution with powerful expressions of democratic, civil, and human rights. There
was also a strong sense of urgency in completing this task.\textsuperscript{168} Indicative of the significant behind the scenes role of the United States, as the 15 August deadline approached, Donald Rumsfeld stated, “we don’t want any delays…they’re going to have to make the compromises necessary and get on with it.”\textsuperscript{169}

More specifically, throughout the drafting process, the Iraqi Constitutional Committee was guided by a number of US and international organizations. Conceptually, the Rule of Law Program of the United States Institute of Peace (USIP), together with United Nations Development Program (UNDP), released a February 2005 report outlining steps for creating an Iraqi constitution. In addition to highlighting the need for inclusivity, transparency, and public participation, the report’s recommendations placed strong emphasis on the \textit{process} by which the constitution was created. A rushed timetable, behind closed doors deal making, and failure to educate Iraqis about the process were all strongly discouraged.\textsuperscript{170}

Similarly, during the drafting stage, the United States Agency for International Development (USAID) played a significant role in influencing Iraq’s constitution. USAID provided 13 international constitutional experts to the Constitutional Committee, 71 topical papers and commentaries, and an array of “consultations, seminars, and workshops with members of the Constitutional Committee, INA, and Executive and Judicial branches on constitutional development and public education.”\textsuperscript{171} In addition, USAID conducted over 111,000 national surveys, supported the Iraqi Women’s National Coalition (which produced a \textit{10 point statement adopted by the drafting committee}), and along with Iraqi NGOs and

\textsuperscript{168} Allawi, p. 408.
international partners, conducted outreach that “introduced over 140,000 ordinary Iraqis to the constitutional process.”\textsuperscript{172}

Lastly, international agencies such as the United Nations Educational, Scientific, and Cultural Organization (UNESCO) provided the drafting committee with a range of advice related to constitutional provisions on freedom of expression. For example, UNESCO suggested that Iraq adopt international standards, adapted to the Iraqi context, that ensure freedom of expression, limits on censorship, media independence, freedom of assembly, and the implementation of human rights.\textsuperscript{173}

Leading up to the national referendum, it was clear that the process of formulating Iraq’s constitution was shaped by international actors, and in particular, the United States. Guiding the transitional process, both the TAL and the draft constitutional framework were driven by US priorities. Yet, notions of pluralism, gender rights, separation of powers and civilian control of the military were unfamiliar to most Iraqis. Moreover, the language and phraseology embedded in newly emerging laws and political discourse was strikingly detached from Arabic and the Iraqi experience as a whole. As an indication of the power the United States had over the process, each significant point of the draft constitution had to be approved and pre-cleared with the National Security Council (NSC) in Washington.\textsuperscript{174}

In order to pass, the constitutional charter required a simple majority nationwide with the crucial provision, article 61 (c) of the TAL, which stipulated that if “two-thirds of the voters in

\textsuperscript{172} Ibid.
any three provinces rejected it, the constitution would be defeated.” 175 This provision was a key Kurdish demand that gave disproportionate leverage to the region’s political leaders and ultimately became known as the “Kurdish veto.” The article was not strongly challenged, in part, because the Shi’a caucus had failed to recognize the importance of the provision in time and was thus unable to remove it. 176

In addition to controversial provisions, the manner in which the constitution was formulated left a number of lagging problems. A November 2005 USIP report presented a powerful critique of the drafting process and issued a set of important findings. To begin with, the TAL “envisaged a six-and-a-half-month, transparent, participatory, and orderly constitutional process.” 177 There was also the key option, in Article 61(F), that allowed for a further six-month extension of the 15 August 2005 deadline. However, despite the preferences of the Constitutional Committee Chairman as well as senior Kurdish and Shi’a negotiators that the Article 61(F) extension be used, US officials pushed for the drafting process to be completed by 15 August. In essence, this policy decision reduced Sunni Arab participation and caused Iraq’s National Assembly to “make a series of ad hoc moves after it missed the August 15 deadline, which exposed the body to charges of illegality.” 178

Adding to negative perceptions of the constitution drafting process, a number of “private” and “irregular” meetings were held that often excluded Sunni Leadership. The cumulative effect was that US policy undercut confidence in the Iraqi federal model, amplified calls that the process was uneven, limited the potential for constructive international engagement, excluded

178 Ibid.
meaningful citizen involvement, and increased the US visibility as both an agent and participant in Iraqi negotiations.  

By the end of August 2005, few Iraqi groups were satisfied with the draft constitution. The political parties of Ayad Allawi and Moqtada Al-Sadr, as well as ethnic minority groups and even some women’s groups refused to accept the draft constitution.

Nevertheless, the October 2005 constitutional referendum took place as planned. Despite the apparent lack of Iraqi autonomy in drafting the document as well as strong objections from prominent Iraqis, the process of establishing a constitution moved forward. On 15 October 2005, 63 percent of registered voters cast their ballots in Iraq’s constitutional referendum. The turnout was higher than in the January elections but considering the importance of the vote, still lower than predicted.

Nationwide, 78.59 percent voted for ratification with 21.41 percent opposed. The constitution was ratified and the results demonstrated that Sunni Arabs, who had rejected the draft document, had failed to garner the necessary two-thirds “no” vote they were attempting to achieve in at least three of Iraq’s 18 provinces. Areas with a Shi’a majority population, although initially fearful of disproportionate Kurdish influence in the drafting of the constitution, ultimately voted in overwhelming numbers in favor of the document.

Notwithstanding the constitution’s impressive characteristics related to human rights, it ultimately exacerbated Sunni Arab bitterness and thereby increased “support for violence among the 20 percent of Iraq’s population most responsible for the…insurgency.” Furthermore, the constitution failed to deal with crucial economic and religious issues as well as provide a place

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179 Morrow, pp. 3-4.
180 Ibid.
182 “Iraq’s Draft Constitution is Adopted by Iraqi Voters.”
for former Ba’th party members. In 2005, the draft appeared to limit the role of former Ba’thists in the new government. This included the hundreds of thousands of members that may have joined the party out of “convenience or professional necessity.”

Equally problematic, the role of Islam in law was never fully settled. Secular Iraqis that resisted a Sharia-based code were left without clear options. Regulations outlining how to settle disputes between parties that advocated the use of different courts were lacking. Additionally, the location of lawsuits between parties in disagreement remained obscure. Perhaps more troubling, matters of oil and regional autonomy became open fault lines of disagreement. The determination of “new” and “old” oil wells became, in part, a key factor of how oil revenues would be allocated, a policy that would “immediately invite gamesmanship.” Of course, confusion and posturing arose because new oil wells could be built next to old, or old wells could be replaced by new, or wells formally labeled as old could be relabeled as new. Regions with large amounts of oil, e.g., the Kurdish north, would have greater power over controlling oil revenues. This gap in the constitutional framework pitted groups against one another and increased regional divisions.

In sum, the process of drafting a constitution, and the constitution itself, had a devastating impact on an already fragile country. The process was rushed. US officials pushed and imposed a fixed timetable at the expense of a more deliberate pace. The lack of inclusivity coupled with favoritism similarly hurt US credibility. Sunni Arabs were marginalized, Kurdish demands were given priority, and Shi’a leaders failed to assure Sunnis and other minority groups of a place in the new Iraqi system. Religious issues of Islam and Sharia, economic concerns over oil, and the role of former Ba’thists were not adequately addressed during the drafting process or settled by

\[184\] Ibid.
\[185\] Ibid.
\[186\] Ibid.
the constitution’s ratification. International actors such as the UN were either unwilling or unable to intervene when the US continued to push, influence, and structure what should have been an Iraqi-owned process of creating a constitution. In the end, these mistakes did not go unnoticed. Iraqi political, religious, and tribal leaders aired their grievances and urged action on behalf of their followers. Predictably, violence already occurring in the country only gained in intensity.
CHAPTER 4
DECLINING IRAQI SUPPORT AND THE GROWING INSURGENCY

There is no evidence that Saddam Hussein anticipated military defeat and thus planned a guerrilla strategy to fight the Americans after the downfall of his regime.187 Perhaps surprisingly, in the first few months after the invasion, US and Coalition forces found Iraq remarkably calm, and in effect, “suddenly found themselves without an enemy.”188 Between 13 April and 23 May 2003, US forces suffered only three combat-related deaths.189 The rapid collapse of Saddam’s state apparatus, along with Ba’th party power structures, left former Saddam loyalists scrambling to save their lives, and the larger Iraqi population facing an uncertain future. Still, at the beginning of the invasion, a vast majority of Iraqis “appeared willing to give the US a chance.”190

Things changed quickly with growing violence and the advent of the insurgency. At first, the US government was reluctant to acknowledge the existence of a broad-based armed revolt. Despite a November 2003 CIA report that noted an increasing number of Iraqis who supported resistance to the occupation, and believed that the insurgency would drive the United States out of Iraq, the size and scope of the insurgency was consistently ignored.191 This denial was prevalent not only throughout the CPA but also in the upper echelons of the Bush Administration. Even after it was clear that the insurgency was driving Iraq into civil war, during a 2005 CNN interview Vice President Cheney continued to discount the power of the rebellion,

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188 “In Their Own Words: Reading the Iraqi Insurgency,” p. 5.
190 “In Their Own Words: Reading the Iraqi Insurgency,” p. 5.
insisting that “the level of activity that we see today from a military standpoint, I think, will clearly decline. I think they’re in the last throes, if you will, of the insurgency.”  These types of statements exposed a larger gap in US planning, which failed to consider the root causes of the insurgency.

In analyzing post-invasion instability, it is important to understand that escalating violence following the immediate aftermath of the invasion was not all insurgency related. Former Ba’thists, party officials, or government personnel suspected of being collaborators were targeted and killed. At the local level, as Iraqis endured more and more kidnappings, rapes, killings, and assassinations, many segments of the insurgency blamed the United States. As a result, the anti-occupation narrative gained a foothold throughout Iraq. This, in turn, created space for insurgents to systematically pursue security forces, especially the police, in a broad based effort to attack and undermine US plans for transitioning Iraq into a democratic society.

By 2006, as noted in the Iraq Study Group Report, violence was increasing in “scope, complexity, and lethality.” Sources of violence included the Sunni Arab insurgency, Shi’a militias and death squads, al Qaeda and affiliated jihadist groups, as well as organized criminality. By and large, the majority of civilian casualties were caused by sectarian violence, most attacks on US forces stemmed from the Sunni Arab insurgency, and al Qaeda was responsible for a small percentage of attacks, but often those that were most spectacular and

194 “In Their Own Words: Reading the Iraqi Insurgency;” see also, Allawi, p. 373.
devastating. Untying these groups and their various motivations is essential to understanding the evolving nature of violence in Iraq.

The Insurgency: Its Leaders, Grievances, and Motivations

A critical dimension of the insurgency, one that ensured its lasting strength, was that it was built around a loose and adaptable network based on “deep-seated family, tribal and local loyalties, with allegiance to a cause rather than to specific individuals.” While insurgent leaders were important, typically groups whose leader was killed or captured were able to persist. In addition to strong social networks, large caches of weapons, and significant financial resources, the fact that insurgent groups were not necessarily dependent upon leadership suggests that powerful narratives played a major role in sustaining violent revolt at the national level.

From a national perspective, there emerged a number of key political and religious leaders that shaped the domestic discourse on the US presence in Iraq. Typically, these figures either rejected US and Coalition forces in Iraq outright, or strongly opposed specific US transition policies. These grievances often corresponded to increases in protests, the severity and durability of such protests, and a steady rise in violence. The following four leaders, none of whom held elected office, had a particularly strong impact on Iraq’s stability.

In the years following the invasion, Grand Ayatollah Ali al-Sistani was the most influential leader in Iraq. Despite staying out of day-to-day politics and refusing to speak directly with the United States, as the leading Shi’a cleric in Iraq, Sistani directed all major Shi’a leaders

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196 Baker III et al, pp. 3-4.
198 Ibid.
that sought his approval or guidance.\textsuperscript{199} In particular, Sistani played a critical role in formulating Shi’a positions toward elections and the development of Iraq’s constitution, as well as negotiating, via proxy, these topics in negotiations with the United States and Iraqi leaders.

Likewise, Abdul Aziz al-Hakim, Shi’a cleric and leader of the Supreme Council for the Islamic Revolution in Iraq (SCIRI), garnered tremendous influence across the southern parts of the country. Aligned with Iran, and the largest and most organized Shi’a political party in Iraq, the SCIRI sought the creation of an autonomous Shi’a region made up of Iraq’s nine southern provinces.\textsuperscript{200}

Throughout Iraq, Moqtada al-Sadr carried tremendous weight with impoverished Shi’a, particularly in Baghdad. As leader of \textit{Jaysh al-Mahdi} (the Mahdi Army), Sadr often clashed with the Badr Brigades (the military wing of the SCIRI), as well as Iraqi, UK, and US forces. Sadr was considered by some to be following the model of Hezbollah in Lebanon, in which his military and political apparatus would control “basic services within the government and an armed militia outside of the government.”\textsuperscript{201} Consistent with this perspective, in an attempt to reinforce his own credibility, Moqtada stated “I proclaim my solidarity with Ali Sistani, and he should know that I am his military wing in Iraq.”\textsuperscript{202}

Distinct from Shi’a leaders, one of the most dangerous men in Iraq was Abu Musaib al-Zarqawi. As a Jordanian, and the late head of al Qaeda in Iraq, Zarqawi is credited with implementing a brutally effective strategy for inciting violence, sectarian conflict, and civil war. Important to note, although Secretary of State Colin Powell made a great deal of Zarqawi’s connections to al Qaeda in his 5 February 2003 address to the United Nations, it became

\begin{itemize}
\item \textsuperscript{199} Baker III et al, p 14.
\item \textsuperscript{200} Ibid.
\item \textsuperscript{201} Baker III et al, p 15.
\item \textsuperscript{202} Charles Recknagel, “Symbol of Insurgency,” \textit{Asia Times}, April 9, 2004.
\end{itemize}
apparent that the US administration got that point wrong. According to a 2004 Senate Intelligence Report on prewar intelligence in Iraq, “the Saddam regime did not have a relationship with, harbor, or turn a blind eye toward Zarqawi.” Rather, postwar evidence demonstrated that Saddam’s regime was actively trying to find Zarqawi and his associates when the Jordanians requested such action but was unable to accomplish the task.

**Four Main Insurgent Groups**

Throughout the development of armed opposition to the US and Coalition presence in Iraq, the insurgency centered upon one unifying and primary goal: “ridding Iraq of the foreign occupier. Beyond that, all is vague.” Despite the diverse makeup of the insurgency and the often-unclear nature of their specific agendas, four groups stood out. In addition to regularly taking responsibility for armed operations and attacks, these groups cultivated recognized, proficient, and uninterrupted channels of communication, and as a result, consolidated domestic support and embodied violent opposition to foreign occupation and a rejection of the US-led political transition process.

As an extreme and violent insurgent group, *Tandhim al-Qa’ida fi Bilad al-Rafidayn* (al-Qaeda’s Organization in Mesopotamia) was largely shaped by the personality of its purported founder, Abu Musaib al-Zarqawi. The group was made up of approximately fifteen brigades, which put the number of fighters somewhere between 5,000 and 15,000. Throughout 2005

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203 Riedel, p. 97.
206 “In Their Own Words: Reading the Iraqi Insurgency;” p. 11.
207 “In Their Own Words: Reading the Iraqi Insurgency;” p. 1.
208 Ibid.
Tandhim al-Qa’ida was known for holding extreme and uncompromising positions as well as attempting to remodel and “Iraqify” its image.209

Initially based in Iraqi Kurdistan and similarly violent, Jaysh Ansar al-Sunna (Partisans of the Sunna Army) emphasized patriotic themes, identified itself as a Salafi group, and was considered to be at least as radical as Tandhim al-Qa’ida.210 Although by most accounts Jaysh Ansar al-Sunn ceased operations by 2006,211 the organization regularly published political communiqués (Hasad al-Mujahidin) and political magazines (al-Ansar). On a military level, Jaysh Ansar al-Sunna claimed to have some sixteen brigades.212

Distinct from the previous two groups, Al-Jaysh al-Islami fil-’Iraq (the Islamic Army in Iraq) was widely viewed both in Iraq and the West as one of the more nationalistic insurgent organizations. Thirteen brigades claimed allegiance to this group as well as a communications wing that produced daily statements, maintained a website (shut down in 2005), and a published a monthly magazine, al-Fursan, which offered up to 50 pages of political commentary and organizational viewpoints.213

Lastly, Al-Jabha al-Islamiya lil-Muqawama al-’Iraqiya (the Islamic Front of the Iraqi Resistance), commonly known by its initials as Jami’ (mosque or gathering), was considered as a “public relations organ” shared between insurgent groups.214 Like other armed opposition groups, Jami’ produced weekly updates, took responsibility for attacks, and published lengthy monthly magazines. However, aligned with the Salafi approach to Islam, Jami’ expressed a

209 “In Their Own Words: Reading the Iraqi Insurgency;” p. 2.
210 Some insurgents reportedly accused Ansar al-Sunna of being more violent than Tandhim al-Qa’ida. Crisis Group interview, Iraqi Journalist, December 2005; see also In Their Own Words: Reading the Iraqi Insurgency;” p. 2.
212 “In Their Own Words: Reading the Iraqi Insurgency;” p. 2.
213 Ibid.
214 Ibid.
political discourse that was not only deeply nationalistic but more sophisticated than other insurgent groups.\footnote{Ibid.} 

Most insurgents were Sunni Arabs. These fighters, either as members of one of the above four groups or one of the many smaller groups, often expressed religious justifications based in the teachings of Salafi scholars, which typically included or were related to Wahhabism – a strict or literal interpretation of Islamic theology.\footnote{“In Their Own Words: Reading the Iraqi Insurgency;” p. 11.} Thus, the role religious jurists had a crucial impact on the growing alienation of the Sunni Arab constituency and its orientation toward the political process.\footnote{International Crisis Group, “What Can the U.S. Do in Iraq?,” Middle East Report No. 34, December 22, 2004, http://www.crisisgroup.org.}

\textit{Abu Musaib al-Zarqawi}

Specifically, Abu Musaib al-Zarqawi, was able to implement a two-pronged plan intended to weak havoc on Iraq and thereby dismantle American objectives. First, Zarqawi sought to isolate the United States by forcing out all other international allies. To this end, Zarqawi carried out a systematic terrorist campaign meant to shake the will of the coalition. In the summer of 2003, Zarqawi’s bombings of the UN headquarters and Jordanian embassy in Baghdad were particularly effective. At the time when the United States and Iraqis most needed international assistance in restructuring the state and establishing a political system, the majority of international aid agencies and NGOs were forced – or simply chose – to leave the country.\footnote{Riedel, p. 99.}

The second and more important phase of Zarqawi’s plan was to provoke civil war among the Iraqi people by exploiting the key tension within Iraqi political society – the Shi’a-Sunni
divide. As a devout Sunni, targeting the Shi’a was Zarqawi’s natural recourse. In a letter written from Zarqawi to al Qaeda leadership, captured in a raid on a safe house in Baghdad on 23 January 2004, Zarqawi expressed his hatred for the Shi’a and outlined his strategy for attack:

In our opinion, these are the key to change. Targeting and striking [Shi’a] religious, political, and military symbols, will make them show their rage against the Sunnis and bear their inner vengeance. If we succeed in dragging them into a sectarian war, this will awaken the sleepy Sunnis who are fearful of destruction and death at the hands of these Sabeans, i.e., the Shi’a. Despite their weakness, the Sunnis are strong-willed and honest and different from the coward and deceitful Shi’a, who only attack the weak. Most of the Sunnis are aware of the danger of these people and they fear them. If it were not for those disappointing Shaykhs, Sufis, and Muslim brothers, Sunnis would have a different attitude.

Zarqawi drew upon historical narrative and symbolism to tap Sunni fears and anger toward the Shi’a, calling the Shi’a “the lurking snake, the crafty and malicious scorpion, the spying enemy, and the penetrating venom.” Furthermore, in quoting from the Ibn Taymiyya, Zarqawi cautioned his fellow Sunnis: “Beware of the Shi’a, fight them, they lie.”

This rhetoric formed the basis for Zarqawi’s violent tactics in Iraq. Bruce Riedel, in The Search for Al Qaeda: Its Leadership, Ideology, and Future, describes the extent of Zarqawi’s operations in Iraq:

Zarqawi began his pursuit of civil war with a series of attacks on the Shi’a Leadership in Iraq, its holy places, and ordinary citizens. In the summer of 2003 his operatives killed the senior and long-time leader of the Supreme Council for the Islamic Revolution in Iraq (SCIRI), Ayatollah Mohammed Baqir al Hakim. Next came the bombing of Shi’a shrines in Najaf and Baghdad in March 2004, in Najaf and Karbala in December 2004, and in Samarra in February 2006; the Samarra shrine was then struck again in May 2007. The attack on the popular and widely respected Ayatollah Hakim was carried out by the father of Zarqawi’s second wife, Yassin Jarad.

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219 Riedel, pp. 99-100.
221 Taken from a 2003 letter intercepted and later released by the CIA, Riedel, p. 100.
222 Nimrod Raphaeli, “The Sheikh of the Slaughterers: Abu Mus’ab al-Zarqawi and the Al Qa’ida Connection,” Inquiry and Analysis Series, no. 231 (Middle East Media Research Institute, July 1, 2005).
223 Riedel, p. 100.
Zarqawi was also responsible for introducing the practice of filming the beheadings of hostages and using it to strike fear into opponents as well as for recruitment and propaganda purposes.  

Considering al Qaeda’s limited role in Iraq, Zarqawi’s handprint can be seen on a striking number of the most spectacular attacks that took place from 2003 to 2006. In examining only the attacks that occurred in 2003, including non-Zarqawi operations, the most audacious operations are as follows: the attack on the Jordanian embassy (7 August), the bombing of the UN headquarters (19 August), the assassination of Muhammad Baqir al-Hakim and a large number of his followers (29 August), the launching of missiles at the al-Rashid hotel during the surprise visit of Deputy Secretary of Defense Paul Wolfowitz (26 October), and the bombing of the headquarters for the International Committee of the Red Cross (27 October).

Expanding the timeframe, and looking exclusively at Zarqawi attacks, the evidence reveals the political nature of his attacks and their ultimate effectiveness. A study covering the period between April 2003 and April 2005 found that while the Zarqawi’s network caused 14 percent of all insurgent operations, they were responsible for a disproportionate 42 percent of suicide bombings. Moreover, these bombings produced the largest mass casualties. A different study argued that al Qaeda comprised roughly 15 percent of Iraq’s overall insurgency. From March 2003 and August 2006, additional studies estimated that of the total 440 suicide attacks in Iraq during that timeframe, at least 30 percent were claimed by the Zarqawi network.

From the standpoint of destabilizing Iraq, Zarqawi inflamed the political process by aiming more than three-quarters of his attacks at Shi’a targets, and in particular members of the

224 Ibid.
225 “In Their Own Words: Reading the Iraqi Insurgency;” pp. 6-7.
post-invasion government, police and security forces, and political parties – all of which were largely dominated by the majority Shi’a population.\textsuperscript{229} Obviously the United States, Coalition members, and many around the world rightly considered Zarqawi a terrorist. Zarqawi’s goal of provoking civil war in Iraq, targeting “Agents of America” and “collaborators,” and attempting to establish an Islamic caliphate nullified the option of integrating Zarqawi into the political transition process. Yet, there were opportunities for the United States to work with less extreme, less violent political and religious actors. These opportunities were often unidentified, intentionally ignored, or squandered.

\textit{Grand Ayatollah Sayyid Ali al-Husayni al-Sistani}

At the time of the invasion, Grand Ayatollah Sayyid Ali al-Husayni al-Sistani was looked upon by most of Iraq’s Shi’a as the central authority in their community. Although he was essentially the head of the \textit{hawza}, the Shi’a clerical establishment, Sistani believed that clerics themselves should not become politicians. This position was somewhat in contradiction with the Iran-oriented SCIRI, portions of al-Da’wa, and with the radical populism of al-Sadr. Nevertheless, Sistani’s perspectives “carried a weight unmatched by others.”\textsuperscript{230} Relative to US political transition policy and violence in Iraq, Sistani’s views on elections and the drafting of the constitution were pivotal.

Sistani’s first and critical move came in the summer of 2003. In responding to a question posed by his followers, Sistani addressed reports, which turned out to be accurate, that the CPA intended for the “Iraqi constitution to be drafted by a constitutional drafting body, chosen by a

\textsuperscript{229} Riedel, p. 101.
\textsuperscript{230} Tripp, pp. 280-281.
selection process and not by direct elections.” Sistani reacted to the news that Iraq’s constitution would be drafted by unelected, at times US appointed, members by issuing a fatwa – the equivalent of an opinion letter in contemporary US legal terms. The Sistani-approved English translation of the fatwa reads as follows:

In the Name of The Almighty. Those forces have no jurisdiction whatsoever to appoint members of the Constitution preparation assembly. Also there is no guarantee either that this assembly will prepare a constitution that serves the best interests of the Iraqi people or express their national identity whose backbone is sound Islamic religion and noble social values. The said plan is unacceptable from the outset. First of all there must be a general election so that every Iraqi citizen – who is eligible to vote – can choose someone to represent him in a foundational Constitution preparation assembly. Then the drafted Constitution can be put to a referendum. All believers must insist on the accomplishment of this crucial matter and contribute to achieving it in the best way possible. May Allah The Blessed Almighty, guide everyone to that which is good and beneficial. Wassalamu alaiicum warahmatullah wabarakatuh (Peace and Allah’s love and blessings be upon you). Signed & Sealed Ali Al-Hussaini Al-Seestani…26 June 2003.

With this fatwa, Sistani made a crucial demand upon the United States, one that substantially altered the political transition process.

A fundamental tenet of what subsequently became the November 15 Agreement (2003), of which the constitutional drafting process was a part, was the establishment of a basic law by an unelected authority as a path for the transitional process. As Sistani’s fatwa indicates, there were clear objections to Coalition policy in this regard. In addition to rejecting the constitution drafting process, Sistani was opposed to the caucus system to select the Transitional National Assembly (TNA), stating: “The mechanism in place to choose members of the transitional legislative assembly does not guarantee the establishment of an assembly that truly represents the Iraqi people.” Likewise, the lack of any reference to Islam in the November 15 Agreement

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232 Ibid.
234 Allawi, p. 214.
caused tension.\textsuperscript{236} Voicing Shi’a concerns about the November 15 Agreement, the SCIRI leader Abd el-Aziz al-Hakim warned, “There will be real problems if the reservations we have expressed are not taken into account.”\textsuperscript{237}

During the same time period, other Islamic leaders spoke out against the political process. In October of 2003, Sheikh Mudhafar Abdel Wahab Alani, Imam of the Great Mosque of al-Qaim located in the town of Huseiba (Anbar province), decried American involvement in Iraq. Although Sheikh Mudhafar had conveyed the following message in his sermons many times, usually to a congregation of roughly 1,200 devout followers, the Sheikh reiterated his position in a 2003 interview with Nir Rosen of the \textit{Asia Times}, stating bluntly:

\begin{quote}
We reject this occupation…No country would accept an occupation. We have lost our dignity. Until now we have not seen anything…except killing, searches and curfews. There is a reaction for every action. If you are choking me, I will also choke you. We have a resistance just like the Palestinians, Chechens and Afghans.\textsuperscript{238}
\end{quote}

A close friend of Sheikh Mudhafar, Sheikh Kamal Shafiq Ali, made similar remarks in the nearby town of Ubeidi, 20 kilometers from Huseiba. As leader of the Mustafa mosque and its congregation of 1,000, Sheikh Kamal took a slightly less confrontational tone with the United States, but nevertheless emphasized the importance of the political transition timeline, stating: “A government must be established, security must be provided, there have to be elections and a constitution, and after they finish all that, [the Americans] have to get out, as they promised.”\textsuperscript{239}

Crucially, the political nature of these types of remarks, often expressed to devout Muslims in crowded mosques, had an impact on Iraqi society. Perceptions of American political

\begin{footnotes}
\item[236] Allawi, p. 215.
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objectives shifted. What was once a willingness to give the Coalition the benefit of the doubt quickly became a call for further scrutiny of US-directed political transition policy. As a result, controversial US and Coalition decisions were increasingly made public, demonstrations followed, and dissatisfaction with the occupation turned violent.

In late 2003 and early 2004, during the time when Kofi Annan was considering further UN involvement in Iraq and assisting with election and constitutional issues, a number of street demonstrations occurred. Crowds in favor of Sistani’s positions on elections and the constitution grew quickly over the span of a few weeks, resulting in major demonstrations in Basra and Baghdad. With the increasingly real threat of a Shi’a boycott of the political process, the Coalition had to reevaluate its support for the November 15 Agreement, which carried the risk of alienating Iraq’s most powerful figure as well as his substantial number of followers.

As an important point of clarification, Ayatollah Sistani was initially, and primarily, against the November 15 agreement because the plan would hold “local ‘caucuses’ in each province to select a national assembly (by May 31, 2004).” In turn, this assembly – the Transitional National Assembly (TNA) – would then choose a Constitutional Committee that would be responsible for drafting Iraq’s constitution. In essence, Sistani objected to the idea that the US and Coalition would effectively appoint members of the Constitutional Committee.

Relatedly, Sistani also called for early direct elections, which prompted the CPA to request that the United Nations assess the feasibility of conducting elections for an interim government. In February 2004, a UN team led by UN envoy Lakhdar Brahimi concluded that

241 Allawi, pp. 216-217.
243 Ibid.
“national elections could not be held earlier than late 2004 or early 2005.”

Although Sistani was disappointed that elections could not be held earlier, he was pleased that the Brahimi report also found that the caucus system was impractical and should be dropped. Thus, Sistani ultimately agreed to Kofi Annan’s recommendation that elections take place no later than 31 January 2005. Additionally, Sistani dropped his forceful opposition to the constitutional drafting process and opted to work within the process in order to influence it.

At a general level, from 2003 to 2005, Shi’a Islamists and political officials increasingly gained confidence that the electoral and constitutional processes were working in their favor. Initially fearful that a controlled caucus system would avoid elections and prevent the Shi’a from acquiring power proportional to their numerical majority, Sistani’s achievements helped to allay such fears. However, some members of the Shi’a community were unsatisfied by Sistani’s significant accomplishments and were therefore more willing to confront the Coalition. At the same time, Sistani’s victories, although insufficient for some in the Shi’a community, nevertheless added to the perceptions of many within the Sunni community that the Shi’a were attempting to marginalize them in the emerging system. In short, Sistani’s considerable influence cut both ways. The more the Shi’a community achieved, the more the Sunni community felt antagonized and threatened.

Moqtada al-Sadr

Moqtada al-Sadr was a surviving member of an important Shi’a clerical family that Saddam Hussein had tried to wipe out. With strong ties to Iran, Sadr was very much in line with the Iranian view of role of clerics in political systems. In 2004 and 2005, Sadr gave a number of

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244 Ibid.
245 Allawi, p. 230.
246 Allawi, p. 215.
sermons and public interviews denouncing the United States and calling for the withdrawal of all Coalition forces. Sadr also demanded a new central Iraqi government that was removed from the Ba’th party and disconnected from the Allawi government. These “fiery anti-American sermons” were typically delivered during Friday prayers at the primary mosque in Kufa, near Najaf.247

The anti-American rhetoric was accompanied by protests and military action. Between 2004 and 2007, Sadr’s Mahdi Army fought a series of battles with US-led coalition forces in Baghdad and the central and southern regions of the country. Sadr’s militia is considered responsible for the deaths of hundreds of US and Coalition soldiers as well as organizing death squads aimed at killing Sunnis during the height of 2005-2007 sectarian conflict and civil war.248

Moqtada al-Sadr’s role in Iraq was clearly one of confrontation and violence with the Coalition. Yet, this role not only stemmed from Sadr’s political opposition to US occupation, which was by no means unique among Shi’a organizations, but also his methods of successfully disseminating those views and rallying his followers. Perhaps most importantly, Sadr’s movement produced a widely read and fiercely anti-American newspaper, al-Hawza.249 This publication was deemed so toxic that on 28 March 2004 the Coalition authorities charged the newspaper with inciting violence and shut it down.250

In response, Sadr’s followers participated in a range of demonstrations protesting the Coalition’s decision to block the newspaper’s publication. The protests turned violent when on 4 April 2004, the Mahdi Army launched coordinated attacks on Coalition soldiers in Sadr City, Najaf, Kufa, and Amara, wounding roughly 200 people and killing at least 35 more, including

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248 Ibid.
249 Packer, p. 265.
American, Spanish, and Salvadorian soldiers as well as Iraqis. This episode, sparked by an American political decision to silence al-Hawza, marked the first major attack by any Shi’a militias against the US-led Coalition.

Almost immediately, on 5 April 2004 Paul Bremer sought to quell the disturbance by declaring that Sadr was an outlaw and that uprisings by his followers would not be tolerated. During a session with the Ministerial Committee for National Security, Bremer stated the following:

We have a difficult security situation. We have a group under Moqtada al-Sadr that has basically placed itself outside the legal authorities, the Coalition and Iraqi officials…Effectively he is attempting to establish his authority in the place of the legitimate authority…We will not tolerate this. We will reassert the law and order which the Iraqi people expect.

The decision to label Sadr an outlaw did not quell support for Sadr or his political agenda. On Friday 26 April 2005, more than 100,000 Iraqis protested in eight cities in support of Sadr. This included roughly 30,000 people who gathered for a sermon delivered on Sadr’s behalf in one of Baghdad’s poorer districts. Specifically, Sadr’s supporters opposed the US-backed “draft constitution” as well as inadequate public services. At the time, the Shi’a protests in favor of Sadr had the potential to “reinforce” the opposition of Sunni Arabs who were also “bitterly against the draft.”

In many ways, overlapping political grievances both united and divided ethnic and religious groups opposed to the US-guided political transition process. Due to a near universal

255 Ibid.
rejection of the US occupation, there were brief moments of Sunni-Shi’a military cooperation against the Coalition. Yet, shared political grievances gave way to political competition that became increasingly hostile and sectarian in nature. Ironically, although the United States invaded Iraq to topple Saddam’s Sunni Arab regime, the political transition process and associated violence steadily revealed the need for the US and Coalition to “rescue the more general Sunni Arab population.”

Similarly, the political transition process presented the Sunnis with a set of paradoxes. While Sunnis largely opposed the presence of US forces in Iraq, they increasingly relied upon those forces to protect them against Shi’a militias, such as Sadr’s Mahdi Army. Likewise, Sunnis shunned the notion of being governed by a majority Shi’a administration, but rejected a federal, decentralized Iraq and did not consider the creation of an autonomous Sunni region as realistic.

Of course, the political dimensions of Sunni-Shi’a violence cannot properly be understood outside the context of the political aspirations, strategies, and achievements of Iraq’s Kurdish population. To a certain extent – having survived Saddam’s brutal dictatorship – Iraq’s Sunni, Shi’a, and Kurdish political leaders understandably made decisions and actions based on zero-sum reasoning. Iraq’s history was one of domination, not democratic cooperation. Perhaps ignorant of many of Iraq’s historical nuances, US officials were long aware of the complex dynamics of Iraq’s ethno-religious makeup. Following the 1990-1991 Gulf War, Dick Cheney seemed to grasp the difficulty of removing Saddam from power and attempting to restructure

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258 Baker III et al., p.15.
Iraq’s government. Cheney’s 1992 statement, rendered when he was US Secretary of Defense, is instructive:

I would guess if we had gone in there, we would still have forces in Baghdad today. We’d be running the country. We would not have been able to get everybody out and bring everybody home. And the final point that I think needs to be made is this question of casualties. I don't think you could have done all of that without significant additional U.S. casualties, and while everybody was tremendously impressed with the low cost of the (1991) conflict, for the 146 Americans who were killed in action and for their families, it wasn't a cheap war. And the question in my mind is, how many additional American casualties is Saddam (Hussein) worth? And the answer is, not that damned many. So, I think we got it right, both when we decided to expel him from Kuwait, but also when the President made the decision that we'd achieved our objectives and we were not going to go get bogged down in the problems of trying to take over and govern Iraq.²⁵⁹

Dick Cheney was not the only member of the Bush Administration that was aware of the potential political pitfalls of invading Iraq in 2003. Nor was there a lack of ideas on how to manage the political transition. When the United States could have made greater efforts to ensure a fair and inclusive political transition process, it opted to privilege one particular group. Yet, even in favoring Iraqi Kurds, the Kurdish region itself still suffered substantial loss of life and political instability.

**Iraqi Kurdistan**

By 2006, Iraqi Kurds had succeeded in presenting a united front consisting of two primary political blocs – the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK).²⁶⁰ In making the pragmatic decision to work with the United States in the political transition process, Kurdish leaders attempted and succeeded in securing a largely


²⁶⁰ Baker III et al., pp. 16-17.
autonomous Kurdish region in the north of Iraq. Moreover, Kurdish political figures garnered high profile roles in Iraq’s government. Massoud Barzani, leader of the KDP, was head of the Kurdish regional government, while Jalal Talabani, leader of PUK, was president of Iraq.

Although a number of leading Kurdish politicians favored a democratic, federal Iraqi state because in its absence Kurdistan would be vulnerable to hostile neighbors, the majority of Kurds expressed a strong desire for independence. In addition to being located in an oil-rich area of Iraq, the Kurds also had military strength. The peshmerga, Kurdistan’s own security forces, amounted to roughly 100,000 soldiers. Given these strengths, Kurdish political representatives and citizens alike believed they could “accommodate themselves to either a unified or a fractured Iraq.” These widespread sentiments and resources, along with a comparatively good relationship with the United States, gave Kurdistan tremendous bargaining power in staking a claim in Iraq’s new political system.

Adopted in the October 2005 referendum, Iraq’s permanent constitution recognized the Kurdistan Region as a “legal region of a federal Iraqi state.” Both domestically and internationally, a set of constitutional provisions legitimized Kurdistan’s de facto regional authority. For instance, Kurdistan retained control over foreign affairs, defense policy, as well as economic and taxation issues. More specifically, Kurdistan was granted control over the printing of money, while Baghdad was prohibited from imposing taxes without the approval of Kurdish regional authorities. These constitutional provisions had the cumulative effect of limiting

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261 Chorev, p. 7.
262 Baker III et al., pp. 16-17.
263 Ibid.
264 Ibid.
265 Chorev, p. 7.
instances in which federal law trumped regional law, thereby ensuring a remarkable degree of self-rule for the Kurdish people.266

Despite the near-optimal political situation Kurdistan achieved by 2005-2006 for those in favor of a federal system, there were internal factions as well as national problems that spilled into the region. On 26 August 2005, several thousand Sunni Arabs protested in central and northern Iraq against the proposed constitution. In the northern city of Kirkuk, over 2,000 Sunnis rallied after Friday prayers, chanting “No to federalism,” “Iraq is the home of all,” and “Ba’athists are loyal Iraqis.”267

In many ways Kirkuk in particular, and Kurdistan as a whole, was forced to absorb and deal with ethnic tensions that extended beyond the more recognizable (albeit often oversimplified) Sunni-Shi’a divide. Kirkuk housed a combustible mix of Kurds, Sunni Arabs, and Turkmen. Within Kurdistan, there were strong calls for an autonomous regional government and a rejection of a unified Iraq. At the same time, some Kurds favored a unified Iraq and participated in large protests over the constitution. Complicating matters further, whether in favor of or opposed to a federal system, most Sunni political leaders feared a fractured Iraq that crippled the state and allowed Iran to dominate the oil-rich Shi’a south. Sunnis were also wary of constitutional proposals that banned Ba’th symbols and effectively excluded Sunnis from public life.268 Finally, America’s coercive support aimed at amenable Kurdish leaders complicated regional political dynamics while creating resentment in Iraq’s central and southern areas.

266 Ibid.
268 Ibid.
Although Kurdistan experienced comparatively low levels of violence, Kirkuk was considered among Iraq’s most restive and violent areas.\textsuperscript{269} Part of the explanation for this fact resides in the national character of the insurgency and its opposition to US occupation and political policies. The Transition Administrative Law (TAL) and constitution were roundly condemned by a majority of Iraqis and northern parts of the country were not immune to related protests and violence. Driven by Western priorities and “Kurdo-centrism,” both the TAL and subsequent constitution appeared to dismantle Iraq’s Arab identity, leave the country vulnerable to partition, and solidify the notion that a foreign occupier dominated the political transition process.\textsuperscript{270}

**The Political Nature of the Insurgency**

In the beginning of the insurgency, the majority of armed groups avoided putting forth genuine political programs. Instead, political objectives, at least publically, were limited to expelling the occupier. Calls for establishing an Islamic Republic, or maintaining Sunni Arab rule, or returning to the pre-war political arrangement were not seriously considered or advocated.\textsuperscript{271} However, the January 2005 elections and October 2005 constitutional referendum changed the calculus of armed groups. Insurgents were forced to re-orient themselves and address these crucial political developments. Prior to January elections, although most armed groups rejected the poll and its legitimacy, there was disagreement over how to proceed. *Tandhim al-Qa’ida* disseminated posters threatening potential voters and expressing religious

\textsuperscript{270} Allawi, p. 224.
\textsuperscript{271} “In Their Own Words: Reading the Iraqi Insurgency,” p. 15.
justifications for using violence against election-day participants.272 Yet, other groups such as Jami’ discouraged attacks against voters and instead called for a boycott.273

On the day of elections, this confusion resulted in sporadic attacks that angered Iraqis, hurt the credibility of insurgent groups, and strengthened the popularity of US-aligned Iraqi security forces. Thus, by the time of the October 2005 referendum, six of the most active insurgent groups agreed to a uniform position and issued joint communiqués, initially supporting a negative vote, and later, a boycott. The increasing politicization of armed groups was evident.

In October 2005, al-Jaysh al-Islami fil-‘Iraq and Jaysh al-Mujahidin took greater interest in political matters and appointed a joint spokesman for political issues. Similarly, Jami’ took steps to directly address the need for an alternative political program to that of the United States.274

Apart from the insurgency, the politicization of Iraq’s military and police forces contributed to internal fissures in the post-Saddam security apparatus. At best, this hindered the ability of the Iraqi military to quell violence and provide security in Iraq. At worst, it enabled high ranking military and police officials to gather weapons, intelligence, and resources they could use to eliminate rivals or supply sectarian militias.275 Bill Ardolino, in his article “Sectarianism and Politicization of the Iraqi Army,” recounts a troubling example of this trend in early 2007 that is worth quoting in full:

[Bill Ardolino] witnessed an extreme example of this phenomenon in early 2007, when General Khalid Juad Khadim, the commander of the 2nd Brigade of the First Iraqi Army Division in Fallujah, fled and/or was relieved of his command after his links to the Mahdi Army and the Sadrist political movement were exposed. Khalid and several subordinates had been stealing pay and weapons and funneling them to militias back in Baghdad. In addition to fueling the carnage in the capital, his naked sectarian allegiances fatally disrupted the effectiveness of his brigade, which was undermanned from having its rolls padded with imaginary “ghost soldiers.”

273 “In Their Own Words: Reading the Iraqi Insurgency,” p. 17
274 “In Their Own Words: Reading the Iraqi Insurgency,” pp. 17-18.
(enlisted soldiers) lived in fear of some of their corrupt officers, and many went without pay for weeks or months.276

Faced with systemic security problems lined with political dimensions, Ardolino goes on to make two crucial points: first, obscure and improper allegiances are corrosive to unit cohesiveness and capability, and can potentially evolve into violent political conflict; second, information about Khadim was originally leaked to the *Times of London* by frustrated US advisors who lacked viable options to remove the corrupt but politically well-connected leadership. When neither the United States, nor the Coalition, nor the Iraqi government were capable of dealing with pervasive criminality and sectarianism in the emerging military structure, few options remained outside of the political arena.277

During the height of the civil war, prior to the 2007 *Surge*, the US military’s anti-insurgency approach was not working. The strategy centered on three core elements: (1) destruction of the enemy (elimination of the largest possible number of fighters); (2) decapitation (removal of insurgent leaders and leadership structures); and (3) dislocation (raiding insurgent sanctuaries and dismantling lines of communication). Yet, the insurgency remained remarkably resilient and was more than capable of replacing both leaders and fighters when they were captured or killed.278

Although the 2007 *Surge* deserves credit for improving security in Iraq, it is important to remember that levels of violence remained extremely high even after increased US troop levels. The *Surge* also failed to address the root causes of sectarian conflict, leaving Iraq vulnerable to future instability. Thus, in assessing the durability of the insurgency, a 2006 International Crisis Group report offered what was, and still is, an incisive analysis:

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276 Ibid.
277 Ibid.
278 “In Their Own Words: Reading the Iraqi Insurgency,” p. 25.
A central message is that the coalition’s most effective tools have not been of a military but rather of a political nature. Televised confessions of insurgent combatants and accusations of sectarianism, brutality and depravity, as well as the various 2005 polls all had a visible impact on the armed opposition, bringing about tangible changes in its behaviour and rhetoric. This was only a start, but it suggests something more profound: the importance to the insurgency of its legitimacy, which essentially relies on opposition to the occupation, anger at its specific practices and the feeling shared by Sunni Arabs of being under siege...Conducting an effective counter-insurgency campaign requires emphasising this political dimension, taking the armed opposition’s discourse seriously, and directing one’s efforts at the sources of its popular support. Excessive use of force by coalition troops, torture, resort to tactics that inflict widespread harm on civilians and reliance on sectarian militias simultaneously undermine U.S. legitimacy and boost the insurgents’ own, thereby clearly outweighing any possible military gain.279

Stepping outside of the traditional and often polarizing debates about whether or not the Iraq invasion was warranted, or whether the Surge was needed or successful, the key questions that should be asked when evaluating violence in Iraq are political. Could the political process have been more inclusive? Was it wise to hurry both elections and the constitutional process, while delaying the direct transfer of authority to an Iraqi interim government? Was Paul Bremer, largely responsible for those decisions, given too much decision making power? Prior to the invasion, should post-Saddam political planning have taken place outside the direction of Tommy Franks, a military general? Finally, could the insurgency have been weakened by a different set of political transition policies? Before offering answers to the above questions, it is important to acknowledge the limitations of this research.

279 “In Their Own Words: Reading the Iraqi Insurgency,” p. 27.
CHAPTER 5
LIMITATIONS OF THIS RESEARCH

There is a set of potential problems with this research that must be acknowledged and addressed. First, it is difficult to isolate and rule out contributing factors to increased levels of violence in Iraq after the invasion. It is well documented that everyday life in Iraq was extremely difficult for ordinary Iraqis. The economy was stagnant, security was weak or absent, militias controlled large portions of cities, crime was commonplace, government services were lacking, officials were often corrupt, and ethno-religious fault lines were being targeted by those seeking to divide and destabilize Iraq. Thus, it is hard to attribute different types of violence, in different locations around Iraq, to a single factor. In response to this potential problem, I have analyzed key political developments that are possible contributing factors to levels of violence. This analysis, although limited, demonstrates that violence spiked most often in relation to the political transition process. Most notably, the insurgency built upon public discontent with the January 2005 elections and the October 2005 constitutional referendum.

There are also issues related to data collection. It is difficult to disaggregate statistics on looting and petty crime that occurred with, or because of, political protests. In other words, there were almost certainly individuals that engaged in politically motivated violence and at the same time opportunistically looted stores during periods of protest and chaos. To deal with this legitimate concern, I have sought to provide relevant details describing the nature and size of protests, along with statements from various political leaders leading such events. The size of many of the protests, in some cases occurring throughout Iraq simultaneously, suggest political grievances did indeed drive demonstrations and related violence.
Regarding case selection, there is an inherent and problematic generalization of large groups of Iraqi citizens. For instance, classifying Iraqi Shi’a as a single homogenous group is misleading. Iraqi Shi’a are not monolithic, controlled by a central leadership, sympathetic to radical Islamist conceptions of political power, directed by foreign powers such as Iran, nor do they necessarily agree on the role of religion in politics. To avoid these misrepresentations, whenever possible, I presented important differences in ideology and orientation to the issue in question. For instance, describing the relationship and different positions of Ayatollah Sistani and Moqtada al-Sadr.

Investigating the impact of the explanatory variable is a crucial challenge of this research. The exact parameters of the CPA’s mandate, influence, and timeframe are often unclear. Thus, it is difficult to sort out how, and in what ways, political transition policy affected and produced violence following the invasion. In confronting this challenge, I first identified the formal time period of the CPA’s mandate and then looked to ascertain clear acts of influence over Iraq’s transitional, and later, sovereign Interim Governments. In writing Iraq’s constitution, for instance, there were ever-present American and international advisors involved in the process of helping to shape a critical document for Iraq’s future. Although the Iraqi writers of the constitution were working under a sovereign Iraqi government, because of the high-stakes and high visibility associated with structuring the constitution, there is ample documentation that provides insight into US influence over an Iraqi process.

Finally, there is the issue of reverse causality. It is likely that at times violence intensified the need for a more effective interim and permanent government of Iraq, which in turn, resulted in quickly arranged and poor policies of political transition. This was almost certainly the case.

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when, in failing to quickly produce official Iraqi security forces, Iraq’s interim government allowed the presence of informal militias as a de facto source of security in many portions of Iraq’s cities. Here, I’ve attempted to map out as clearly as possible the trajectory of increased levels of violence and investigate the specific reasons for such increases. Although difficult, it is possible to dissect how Coalition and Iraqi government officials arrived at key political policies and the degree to which such policies were formulated against the backdrop of violence.

**Lessons Learned**

- The political transition process, as much as its specific policies, is crucial to ensuring stability and avoiding large-scale violence in societies undergoing political transition.
- Military leaders should not direct post-invasion political planning.
- If possible, political transition policies related to elections, constitutional development, and the structure of government should be planned prior to, or as quickly as possible, following a change in government structure.
- Inclusivity and impartiality are critical. The transitions process must bring together representatives from as many groups as possible, including opposition groups. External advisors must be impartial with competing political parties.
- Political transition timelines cannot be rushed and must provide adequate time for voter education.
- Thinking of wars in terms of winning and losing is not productive. Both military conflict and political transition should be thought of in terms of changing social relationships for the better.
• Political transition advisors should undergo training with their military counterparts prior to entering the country in transition. After demonstrating an effective working relationship, political advisors should be embedded with military counterparts and on the same deployment schedule.

• Political transition advisors and interim government officials should publically acknowledge the grievances of insurgents, enemy combatants, and opposition elements. Lines of communication should remain open between insurgents and government representatives regardless of military combat. In the cessation of such communication, the burden of re-opening mechanisms/avenues for communication falls on the governing authority.
CONCLUSION

This research does not intend to produce an exhaustive account of the types of post-invasion violence in Iraq and their underlying causes. Instead, it aims to analyze variation in types and levels of violence across Iraq and compare that data with corresponding details of the political transition process. In this context, the findings of this study are limited, as they do not produce a definitive account of post-invasion violence. Yet, ideally, this research has addressed important gaps in the existing literature by highlighting how inconsistent, uneven, and preferential political policies have increased the probability of violence, and more importantly for the long-term, have contributed to destabilizing ripple effects throughout Iraqi society.

Of course, probability is tough to isolate and reasonable critiques could be put forth against this approach. Regarding the external validity of my theory, one criticism might be that this research takes a simplistic view of how violence occurs within society. That is, whether popular discontent primarily stems from political, economic, religious, or international factors is irrelevant, because it is impossible to isolate a single causal factor. In this line of thought, it would be better to investigate the variety of sources of public discontent and causes of violence and analyze how they interact – as opposed to identifying one factor as the catalyst. This criticism is in many ways valid.

Yet, the goal of this research is to understand the dynamics of increased probabilities of violence. If such dynamics can be recognized, we can begin to construct a plan of action for countries undergoing war and political transition. Far from purely academic, this research would ideally lead to the creation of a framework for facilitating fast, effective, and inclusive political transitions in unstable countries. Focusing merely on how violence occurs, although useful in
understanding its various dynamics, neglects the practical objective of aiming to mitigate its root causes.
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