

***Thoughts from America on Imminent Iraqi Elections:  
The Disadvantage of Great Good Fortune or the Dumbing Down of Democracy***

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I speak as someone who thinks he knows something about democracy and about America but with a limited understanding of Iraq. My point will be to highlight the difficulty Americans have in judging the difficulty of attaining democratic governance in places like Iraq because Americans have had such a blessed history and to the remarkable lowering to what an elections is and means with respect to Iraq.

The Middle East is famous for beautiful rugs. With rugs and tapestries we immediately understand that a single thread or color, however wonderful in itself, is not why a rug or tapestry is admired, even if an especially strong, or beautiful or otherwise wonderful thread may contribute to the overall quality. We should approach an election similarly. An event, even something that appears like an election is not a magic wand that creates a democracy; it is, at best, a single strand, quite possibly a most surprising and beautiful one, but only a strand.

I would like to focus on three basic questions:

- (1) Is Iraq a country?
- (2) Are the upcoming elections genuine elections?
- 3) What is the significance of this election in the larger struggle for legitimacy and good governance for Iraq?

***I. Is Iraq a Polity?***

Is Iraq a polity? We saw Saddam Hussein using chemical weapons to slaughter Kurds and we say he used weapons of mass destruction on his own people. Did Saddam Hussein believe these Kurds were his people - or only people he ruled because they were within the political boundaries that constitute the extent of his rule? Did the Shia in the south think he was killing us or did they think he was killing Kurds? Did the Kurds think Hussein was killing us when he committed genocide toward the swamp Arabs in the south or were they simply recognizing a bestial act as we might?

Are the Kurds in the north and the Shia in the south not participating in the insurgency because they favor a democratic Iraq or because they prefer for the Americans to be risking American lives, rather their own, to kill Sunnis? Will they eventually fight and die for a unified Iraq governed by the Shia? Or will the Kurds more likely fight and die when their demands for autonomy are not sufficiently met. Will the Shia be able to govern the Sunni without undermining their legitimacy by frequent resorts to military force?

An election presumes an underlying consensus, a polity - people who share a common sense of identity and common experiences and values that shape the direction of future policies - of where they believe - the people - and the country should go.

By radical contrast, no one proposes that, just because some Palestinians live within Israel and some Israelis live in the West Bank, that a single set of democratic elections could possibly resolve the issues facing that area, regardless of whether a majority were to elect an Israeli or a Palestinian to be prime minister of the entire population. An election, however properly conducted with every eligible voter voting and every vote cast meticulously counted, would be largely irrelevant. Totally different is an objective of Israeli elections in Israel and Palestinian elections in a Palestinian state.

That example also shows another important point. Over the past fifty years, a national identity emerged where it did not clearly exist fifty or more years ago. Today, it is sensible to speak of an Israeli nation and a Palestinian nation even if 60 years ago much less a century ago it would have been non-sensible.

I am not an expert on Iraq nor have I heard one who has an unambiguous answer with respect to whether Iraq is a single polity. It is, in short, a relevant question that does not today have clearly unambiguous answer. I recall talking to one Kurd who stated it simply: the Kurds want to be the 51st state. One can understand that without thinking it can ever happen. One can wonder whether the uniformed soldiers in the Kurdish militia(s) are ready to fight and die to an Iraqi or only for Kurdish autonomy within an Iraq. And it does not seem nonsensical to wonder if the Shia militia are quiet simply because they prefer to have Americans fight the Sunni insurgency for as long as possible, before they have to enter the fray - not for Iraqi sovereignty so much as Shia dominance.

## ***II. Elections and their Meaning***

One of the reasons why a democracy is seen as desirable is because it attempts to solve political problems peacefully. Coup d'état, civil war, insurrection and invasion are also ways to solve these problems but with a horrible toll in bloodshed. Americans are so used to having elections play this role that we barely remember that the British once occupied Washington and that the White House is white because it was painted white to cover over the charred timbers after the British burned most of the city including that building. And, despite all the statuary in Washington, we hardly remember that our civil war cost almost as many lives as all the other wars fought by Americans over two and a half centuries. We don't need to think deeply about what an elections means; we simply take it for granted as the definitive way to decide who will hold office and often what policy or at least policy direction will be pursued.

In thinking about Iraqi elections, we need to remember a few basics that are often forgotten. An election is designed to exacerbate differences and divisions. It is only a successful event if those difference and divisions are less fundamental than what holds the people together and that, after the elections, there is a coming together. Thus, the election of Abraham Lincoln did not solve the issues causing the Civil War, the election of 1860 exacerbated the divisions and his election precipitated the Civil War.

Democracy and elections make no sense unless one assumes that the individual citizen's thoughts and emotions need to be taken into account and who holds power and how they

exercise that power should be, in some fashion, responsive to what the general citizenry thinks and feels about key issues.

Elections must, therefore, provide the opportunity for appeals, by candidates and parties, to both the hearts and minds of the citizenry. Emotional appeals - e.g., I'm one of you, I have the values and experiences you would want to shape the country's future, etc., and intellectual appeals - these are my ideas, my policy proposals, which the electorate should think about.

An election is, therefore, not simply about a lot of ordinary people putting a piece of paper with some markings on it into some box and then counting the markings. An election without a preceding campaign with both emotional appeals for support and intelligent deliberation is an election in form only. It is not related to democratic governance any more than calling someone the president of a people's democracy. It is like using a roulette wheel to make a mathematical calculation - a piece of equipment results in an answer that is a number - but it is not a calculation in any sense of the word.

An election is a means, a technique to reach a decision - about who should rule, who should assume power or what a law or a policy should be.

Elections are also a means of restraining power - but only if it is more than a single event. Under the expectation of regular elections, politicians need to be responsive not simply to what they want, or even what they think is the best policy, but what the general public wants. This is only operative if there are repeated, fairly regular elections. The best policy, if it is unpersuasive and widely rejected by the public over a considered period of time, is not the best policy, but simply the best policy concept.

Thus:

Elections are a means of making policy responsive to general public opinion.

Elections are a means of clarifying policy alternatives as well as personnel alternatives.

Elections are a means of elevating respect for average citizens by giving them some kind of voice.

Elections are more a gauge, a thermometer, an indicator, that there is a functioning democracy than it is a tool to create a democracy where there is not one.

Thus putting marked pieces of paper into a box and then counting them as a route to legitimate, effective, decent governance is a kind of belief in magic.

In this context, what is about to occur in Iraq is a most impressive achievement and, prospectively, an important and promising step. But one might reasonably challenge the idea that an event that has over seven thousand candidates, with over one hundred political slates, where many of the candidates are so fearful of their security that they are running anonymously and where almost all candidates are unable to campaign in person almost anywhere in the country is something that looks a bit like an election but is not really such. It is an event that demonstrates a great deal of courage on the part of hundreds of thousands of

Iraqis and will give some general sense of what the Iraqis want, even if many of the Iraqis don't quite understand what choice on the ballot actually means.

(Many, possibly near a majority, think they are voting directly for a prime minister rather than a temporary legislature which will then choose specific executive officials).

A national electorate based on proportional representation presumes a national identity. It presumes a national means of appealing to voters, both emotional and informational. It was promoted by the UN and decided by Paul Bremer because it was the only way to have a quick election. It was the only way to enfranchise Iraqis who left Iraq. It was the easiest way to guarantee a minimum number of women would be elected (regardless of what a majority might otherwise do). But it is using the term election in a way to generate a false notion of reality.

Americans have been blessed for over two centuries. A war for independence supported by a third to up to half the country was successful. A minor invasion that destroyed the Library of Congress and damaged the Capitol and the White House, a bloody, traumatic war that we now call a Civil War, minor wars with Mexico and Spain, an insurgency in the Philippines, a low level involvement in World War I, an attack on islands remote from the mainland leading to a belated involvement in World War II, involvement in wars in Korea and Vietnam that had unclear results, etc., resulted in approximately a million fatalities over more than two centuries. Or roughly the fatalities that Iran and Iraq suffered during eight years when they were fighting each other, or the deaths in tiny Rwanda during its brutal but short civil unrest or three times the deaths in tiny Cambodia under Pol Pot. We have enjoyed relative prosperity. We have had few experiences with pestilence and disease. We can too easily expect that everything that looks like an election is an election and that elections and events that appear to be elections are easily or inevitably going to result in the peaceful transference of power and, ultimately, into a well governed regime.

### ***III. Legitimacy and Good Governance in a Post-election Iraq***

The American experience in basic, fundamental political experiences is rare since the Founding era. Indeed, that is precisely why we revere our Founding Fathers. They did a remarkable job. After ten years, they quietly overthrew the Articles of Confederation and moved to the Constitution we now have. Their legacy solved many political problems others have struggled with in subsequent centuries.

One might argue that abandoning the Articles of Confederation was not truly a legitimate decision but the technical illegitimacy of that act was overshadowed by the personal legitimacy and authority of those executed it. When our capital city was occupied by enemy troops, our government in exile lasted only a matter of days. John Quincy Adams, Hayes and George W. Bush assumed the presidency under controversial conditions but it did not fundamentally damage the legitimacy of the governmental institutions, nor did the Great Depression. Lincoln was duly elected which helped precipitate the election but it was not illegitimate, nor was the assumption of Andrew Johnson to the presidency even though he was a Southerner. An important part of Robert E. Lee's statesmanship is the fact that he actively worked against a continuing insurgency in the South after Appamattox. The amnesty

of insurgent troops helped heal the nation - suggesting that there was in fact a nation, not two.

Americans understand elections and constitutional procedures. If we think hard, we can even imagine uncontested elections, under some circumstances, as legitimate. After all, George Washington was elected unanimously. Sometimes a popular officeholder is unopposed precisely because he is so popular there is no realistic chance of defeating him.

But Americans understand poorly that moral legitimacy and political authority can derive from sources other than simply electoral procedures properly administered. Americans see elections as so fully conferring legitimacy that it is hard for us to think about legitimacy conferred or accrued through anything other than elections. We gloss over the role of monarchs in monarchies, whether constitutional or otherwise. The fact that several dozen cardinals choose a Pope to reign over hundreds of millions of Roman Catholics is an anomaly requiring little thought.

Legitimacy in Iraq will, in some part \_ perhaps a temporary and less than overwhelming part, be conferred by the electoral process that is about to take place. Yet, Iraq has many other important wellsprings for legitimacy, some of which have major political consequences. Ayatollah Sistani has legitimacy, with major consequences for the political development of Iraq, even though he achieved his position without democratic elections. The elections are in no small part shaped by decisions he made and the results will also be likely fashioned by his moral standing in the Shia community. Family and tribal, as well as religious and ethnic groups, have sources of legitimacy that will play into whether these elections are ultimately an important step or simply a dramatic diversion in the history of Iraq.

Americans, blessed with relative internal security and having experienced by minor external invasion and occupation, understand poorly the fact that any lack of security undermines the legitimacy of any kind of regime, democratic or dictatorial. Inordinate fear for one's safety and the loss of life by innocent parties is directly relevant to the moral standing of a regime. Saddam deliberately killed and tortured innocent people by the thousands. We understand that as not only horrible but destructive of his legitimacy. We understand poorly that the fear and turmoil and tens of thousand of Iraqis who are now dying because of lack of security is destructive of whatever regime now exists and may well destroy whatever follows. A government that cannot protect the lives of little children does not have as a defense that it is constitutional and scrupulous of every electoral procedure.

Finally, of very great importance will be whether or not the process after the elections bring forward important and impressive Iraqi leaders who then make decisions that are regarded as good and legitimate for Iraq as a whole rather than for this or that faction. George Washington was not only the indispensable man for America's Founding. His decision to reject any form of monarchy and to return to his farm after two terms was crucial to our history. Of almost equal import was the decision by the defeated Confederate general, Robert E. Lee, not to continue the insurgency but to spend the rest of his life healing the wounds of the Civil War. The comparable individual statesmen for Iraq are not yet in view, nor will they likely be immediately after this election. They may not emerge in time. They may emerge but make irretrievable blunders.

Thus, while there is some importance in the size of the turnout as well as who will be chosen in this process, the key to whether Iraq moves toward a democratic form of governance will not be decided in the course of the next several days. Likewise, the American element necessary for reasonable progress in Iraq must think more deeply both about its role in Iraq and about what democratic governance means.

Charles Fairbanks (National Interest 2002) made the following observation: Finally, perhaps the most serious bundle of problems involves ourselves. We are woefully ignorant about the area and, worse, our ignorance tends to be filled by wishful thinking. To substitute our daydreams for real knowledge of people and their cultures is one of the more unfortunate American traits.

Let us hope that, as we go forward, we don't substitute daydreams in lieu of genuine understanding, that we not oversell what is happening and then prematurely become discouraged. A heartwarming and genuinely hopeful response by the Iraqi electorate needs to be seen as a step in a long, difficult process. Much will be determined by what kind of statesmen emerge and the quality of their decisions.