

**May 2003:** HOW TO BUILD DEMOCRACY IN IRAQ, by Roger B. Myerson

America pledged that its invasion would build democracy in Iraq, but it faces a dilemma in fulfilling this promise. There are serious questions about whether elections today would select Iraqi leaders who are really committed to democracy. But justice and order require Iraqi leadership, and Iraqis are demanding that America should cede power. If America transfers power now to self-selected leaders, without any elections, then the best chance to introduce democracy may be lost.

The central problem is that, after decades of Ba'athist oppression, independent political organizations are very weak in Iraq. The first group to control the national government in Iraq could build a nationwide network of patronage support that far exceeds anything available to its rivals, who would then be unable to prevent the government from suppressing political competition. In established democracies, candidates are elected to high office only after they have developed a reputation for using power responsibly in lesser offices; but in Iraq, there are no candidates with proven records of exercising power responsibly within democratic rules. Thus it is not surprising that many Iraqis feel that the safest place for power may be in the hands of religious leaders who showed some degree of moral independence under Ba'athist oppression. Still, if American occupation of Iraq is ever to introduce democracy there, it should be attempted now.

Any democratic system that is introduced under American authority must be considered transitional, until a permanent constitution is written by Iraqi representatives and ratified by the Iraqi people. But we need to think broadly about possible structures for such a transitional democracy. Anyone who believes in democracy should understand that constitutional structures can make a difference. Most people are not familiar with the wide variety of democratic systems, but chances for successful democracy may depend critically on introducing the right kind of transitional structures.

The best direction may have been suggested in the Democratic Principles report of the Conference of the Iraqi Opposition (November 2002) when it emphasized the importance of federal separation of powers. This report boldly asserted that no future state in Iraq will be democratic unless it is federal in structure. To achieve such federalism, the report recommended that local elections should be held before any national elections.

American democracy was originally established in just this way. Under the Articles of the Confederation that governed America during its Revolutionary period, democratic state governments had a decade to develop without competition from a strong central government. In

this transitional period, America's national congress consisted only of delegates from the states, who could be replaced by their state government at any time. Thus, there was no danger of the national leadership trying to undermine the states' autonomous authority. After this transitional period, when democracy was well established in each of the 13 states, Americans could safely put a strong central government over the states. But the success of American democracy may owe much to the fact that it was established first at the provincial level.

Similarly, the chances of a successful democracy in Iraq can be improved if these first transitional elections are used only to elect autonomous provincial governments. There is no unified political group that stands likely to win power in all of Iraq's 18 provinces today. Thereafter, a political party that abused power and violated democratic principles in one province would lose much of its appeal for voters in other provinces. So provincial autonomy can provide the essential incentives for political leaders to begin cultivating a reputation for democratic behavior. In this transitional period, Iraq's national parliament should be composed only of delegates from the provincial governments who can be recalled at any time.

Elections in new democracies are inevitably chaotic, as they lack accepted proven leadership. This problem can be mitigated by keeping terms short and giving voters more opportunities to re-evaluate their choices. So the transitional constitution could stipulate that provincial governments must return for re-election every year. Other details of the democratic system also need to be carefully considered. To guarantee that significant minorities in every region can have some representatives, provincial councils should be elected by some form of open-list proportional representation. The lack of proven leadership also suggests that transitional governments should have a parliamentary structure, so that the elected councils can replace unsatisfactory executives.

The one serious risk of such strong provincial autonomy is that it could encourage secessionist movements in some regions. But if a secessionist movement in one region is opposed by a majority of other Iraqis, then it should be within the power of American forces to help prevent secession. Also, any political group that includes elected representatives in some provinces should have the right to sponsor candidates for election in all provinces, and all provincial elections must be free and fair. During the occupation period, if America limits its political intervention to the protection of such basic principles, then it may hope to fulfill its promise to the Iraqi people.

***June 2004:*** AMERICA'S FAILURE TO BUILD DEMOCRACY IN IRAQ, by Roger B. Myerson

As America's occupation of Iraq comes to an end, Americans need to understand how it went wrong. Underlying all the missed opportunities was a failure to introduce any real democracy in occupied Iraq. The critical decisions were made a year ago, in June 2003, when the U.S. occupation authorities canceled plans for local elections in Iraq. Jay Garner, America's first Iraq administrator, had favored early local elections, and the Bush Administration fired him. This policy against elections contradicted American promises to bring democracy to Iraq, and it set the stage for escalating resistance against the occupation.

Without elections, the lack of popularly accepted leadership created a power vacuum. The Occupation Authority appointed local councils, but it kept them weak by withholding control over large funds for local reconstruction, as the patronage benefits were given instead to American firms like Halliburton. So armed struggle became a more promising route to power in Iraq, and the foundations of civil society were undermined. The consequences of this policy became fundamental to Iraq's political problems today.

Consider the city of Najaf. In June 2003, U.S. observers believed that Najaf was ready for elections, but planned elections there were abruptly canceled. Subsequently Najaf became a battleground between U.S. forces and followers of the Shiite cleric Muqtada al-Sadr. Even if the Sadrists had won elections in 2003, their movement would have developed very differently over the past year if they could have built their political base by spending public funds for local reconstruction, rather than by recruiting soldiers for armed resistance.

It is not the American way to cancel elections simply because we dislike the expected winners. So who advocated this policy?

Garner believed that opposition to elections came from proponents of economic privatization. Local democracy in Iraq was evidently opposed by some highly connected people, but it seems unlikely that their motivation was economic reform. Any economist should know that effective economic policies require basic public confidence in the government. Even those who hoped to buy Iraqi public assets for bargain-basement prices knew that long-term enforcement of their property rights would require more legitimacy than unelected occupation officials could provide.

One group stood to profit from a policy of denying elections: the expatriate political leaders who returned to Baghdad with the U.S. military. Ambitions to place such leaders at the head of a

new Iraqi government would have been undermined by serious competition from the homegrown political factions that local elections would have cultivated.

The policy against local democracy has been defended by an argument that occupied Iraq lacked basic internal security that is a prerequisite for democracy. But this argument is difficult to fit with our Administration's expressed optimism that elections will be feasible next January. If all the power of America's armed forces could not make Iraq safe enough for limited democracy in 2003, then it is difficult to see how a weak interim government will make Iraq safe for full democracy by January 2005. The Administration apparently hopes that the end of foreign political control can itself create conditions for peace and security in Iraq. But if so, then local democracy should have been recognized as a prerequisite for peace and security during the occupation. Democracy and security in Iraq had to develop together, not one after the other.

The occupation period offered unique advantages as a time to cultivate democracy in Iraq, if the occupation authorities had been willing to act as impartial guarantors of fair local elections. Any new democracy risks being undercut by government officials who may prefer to avoid elections that could remove them from power. Now we must worry that, if the interim leadership actually does prove strong enough to gain secure control of Iraq by January 2005, then they themselves may be tempted to interfere with free elections.

The decision to prevent local elections in occupied Iraq seems to have been made at the highest level of our government. It benefited only a small group of ambitious expatriates, and may permanently derail Iraq's progress toward democracy. Beyond its unfortunate consequences for Iraqi society, this decision has tarnished America's good name. After all our promises to bring democracy to Iraq, our refusal to allow any free democracy during our occupation period may be as obscenely un-American as the Abu Ghraib horrors.

<http://home.uchicago.edu/~rmyerson/iraq.pdf>

The May 2003 essay was originally written as a note for Congressman Mark Kirk, for a meeting on May 2, 2003. In July 2003, an Arabic translation was published by Al Nahdhah in Baghdad.

An earlier version of the June 2004 essay appeared as a letter to Juan Cole, posted June 11, 2004 at

[http://www.juancole.com/2004\\_06\\_01\\_juancole\\_archive.html#108698703778823853](http://www.juancole.com/2004_06_01_juancole_archive.html#108698703778823853)

A subsequent version of the June 2004 essay was published in the Chicago Tribune op-ed page on August 4, 2004, under the title "No one can be let off the hook for bringing democracy to Iraq."

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