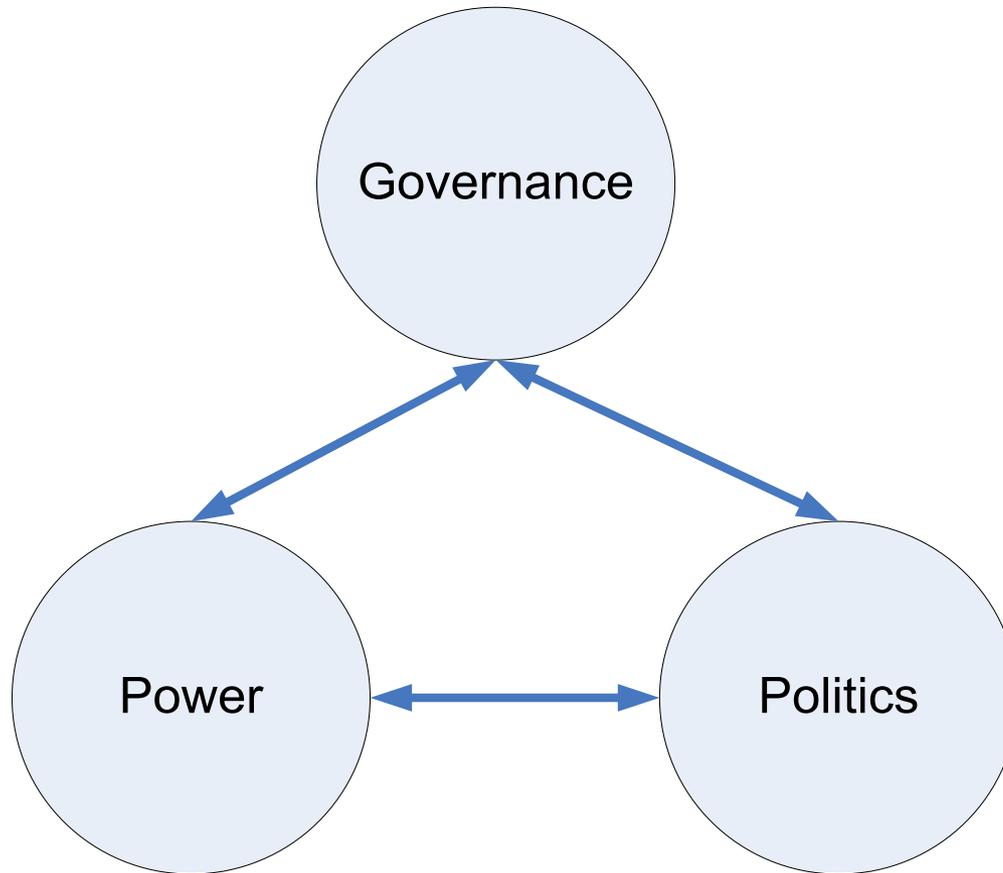


Local Governance and Stabilization in Iraq

National Defense University conference on:
Rule of Law and Governance as Stabilization Tools

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Can't Talk About Governance without 2 Other Tools



Governance (*local*), Power and Politics in Iraq

- **Governance** we define in part as “the rules of the game”
- The basic purpose of **Governance** can be considered as “the use of the instruments of the state to achieve desired ends”
 - “Good” governance can be considered “the use of the instruments of the state to achieve publicly determined ends”
 - “Poor” governance can be considered “the use of the instruments of the state to achieve privately determined ends”
- **Power** consists of the resources that participants in governance bring to the game
- **Politics** consists of the processes or means by which participants participate in governance

Assessing Governance (*local*), Power and Politics in Iraq

- What are the rules of the game? (**Governance**: who holds the formal authority to use the instruments of the state to serve public purposes; how is power shared among central and local authority, among executive and legislative authority, among civil and military authority; what are the checks and balances?)
- What power/resources do the participants bring to the game? (**Power**: moral authority of the previously dispossessed, electoral authority of having been chosen by citizens, religious authority, authority granted by tradition and history, e.g., sheikhs, access to resources)
- What are the political processes, the practices, the means by which the game is played? (**Politics**: intergovernmental revenue sharing, development planning, de-Baathification redefined, changing the balance between center/local, executive and legislative through enabling legislation)

Governance 101 (a)

- **Legislative “branch”**: Councils (provincial, district/qada, sub-district/nahiya) are elected, and in turn, councils elect governors, mayors, sub-district managers)
- **Executive “branch”**: Service providing departments are the local offices of central line ministries. 22 of the 32 central line ministries operate at the local as well as national level.
- Baghdad of all provinces is unique. The executive/administrative offices of the city – namely the Amanat– employ personnel and manage service delivery directly. The Amanat historically had and continues to have budget allocation from central government budget for these services.
- 2 or more provinces may join to form a **region**

Governance 101 (b)

- Constitutional structure for local government is a “reserved powers clause”
- Ownership of oil wealth is “people of Iraq”
 - Exploitation and management of oil is shared power
 - Proceeds from current oil exploitation to be shared on the basis of population
- Policy and management of external water sources is central
 - Policy and management of internal water sources is shared central/local
- Revenue sharing arrangements are to be regulated by a public commission composed of experts and representatives of the federal government the regions and the provinces. This has yet to be put in place

Governance 101 (c): new Law on Governorates

- Governorate (Province), District and subDistrict elected Councils
- Governor, District Administrator (Qa'im Maqam), subDistrict Administrator (Mudiyar Nahiya) appointed by respective councils
- Local legislative authority (may pass legislation applicable to Province, below)
- Authority over development plans for the Province
- Authority to allocate within Province central resource transfers for capital projects
- Revenue raising authority (though unspecified and subject to further legislation)
- No authority over budgets of central executing ministries (health, education, transportation, environment, directorates, as well as the directorates of the Ministry of Municipality and Public Works (water, sewage and municipalities)
- Authority (and budget) to create administrative/executive structure within Governor's office including 5 DG level officials

Power : Who are the Actors, and What are their sources of Power? Elected Officials:

- Elected local officials
 - Elected provincial officials have a degree of legitimacy/respect from population (tempered by participation in 2005 election)
 - Elected officials have access to resources, including distribution of share of oil wealth
 - Elected officials have some degree of influence over central government, and more importantly, links to local government officials all across Iraq who are proving in association to be an effective political force with central government
 - Traditional governance in Iraq was an executive system (King, President) with either no legislative body or one strictly controlled by party (Ba'athist) which was controlled by the President. *Therefore*, Governor is in many provinces accorded more respect and power than his formal authority suggests

Power : Who are the Actors, and What are their sources of Power? Traditional Leaders

- Tribal Sheikhs
 - Command the loyalties of their families, clans, associations of clans, to varying degrees
 - Can call upon that loyalty in business, and in conflict
 - The Awakening Movement, or the Salvation Councils, to some degree are the result of “cost/benefit” calculations about suffering and gains. Sometime early last year, the balance of suffering at the hands of insurgency versus the possible benefits of allying with U.S. military tipped
- Religious Leaders (or leaders with religious base)
 - Moqtada al Sadr and Jaish al Mehdi (JAM)
 - Islamic Supreme Council of Iraq and Badr Corps

Politics: Key Issues Among the Actors: Resources

- Significant economic resources (from oil revenues) are being placed in the hands of provincial (or in the case of Kurdish region, the Kurdish Regional Government) authorities (2006, 2007 and 2008 MOF allocations)
- Previously significant, but decreasing, resources are attached to (or seen as attached to) U.S. reconstruction, and U.S. military
- Who has access to these resources, and can/will government interfere in non-public sector resources?
- At the province level, all of these resources are insufficient to address large-scale infrastructure deficits impeding revitalization (electricity, water, transportation)
- They are contributing to smaller scale, softer infrastructure (schools, health clinics, street improvements, markets, lighting)

Politics: Key Issues Among the Actors: Elections

- Elections expected to be held October 2008 will likely cause high turnover
 - Possibly open party list ballots
 - Disaffection with sectarian politics and dissatisfaction with services
 - Realization in the current group that their positions in elected office are temporal; a lot of scrambling among those who wish to be re-elected
- Who will vote, who will boycott, and who will be pushed out? (Sunnis were very under-represented in 2005 election; allegations of struggle to prevent Sadr trend from capitalizing on its strength in the South)

The Changing Face of Politics (1)

- Tribal leaders cannot govern the provinces; they can deliver support and legitimacy.
- Tribal leaders are unlikely to be able to get major public sector resources on their own – that is, attempts to deal directly with national government
- But tribal leaders have strong ties to Jordanian and Syrian businessmen and can play a role in private investment in economic development and reconstruction, control over transportation, smuggling
- Religious leaders through their party ties have indirect access to public resources; they have substantial access to resources through religious tourism and through the Mosques

The Changing Face of Politics (2): Local Government Association

- Formed officially in August 2006
- Drafted Law on Governorates, with most of the provisions in LGA draft surviving the COR process and now incorporated into the Law
- Demonstrated their power through a year and a half lobbying on the Law, and in the last-hour struggles between the COR and the Presidency Council on the law as passed, consulted significantly by the Presidency Council
- But these representatives represent their Provinces, and are beginning to realize they may not be part of LGA after elections

Provincial Council Association Meeting: 14 – 17 February 2007

