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The Crisis of
Governance
in the Gulf:

Legitimacy and Stability in a Dark Time



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Foreword

The Persian Gulf has been a central concern of U.S. and European governments for decades, yet our understanding of the Gulf does not match this concern. The absence of deep knowledge hinders good policy making, and good policy making on the Gulf has frequently been missing in Washington in particular.

This report is a step toward remedying this problem of knowledge. It is the result of a series of workshops and public forums lorganized by the Center for International Studies at MIT. Called the Persian Gulf Initiative, the effort began with three workshops of scholars and practitioners with substantial experience in the Gulf, some of whom are from Gulf countries. Our goal was to explore key issues of the region by enabling disinterested scholarship and knowledgeable voices from the region. This initial series of workshops took up issues of governance—stability, legitimacy, and related matters—in Saudi Arabia, Iraq, and Iran.

The planning for the workshops began in late 2004, and the ensuing year seemed to demonstrate their importance. In Saudi Arabia, Abdullah came to the throne upon the death of his brother, a sign of the royal privilege that is the source of both stability and worry about the kingdom, while surging oil prices remind us again of the Saudis' and the Gulf's indispensability to the industrial world. In Iraq, fitful progress to create a political system was beleaguered by extreme violence from many sources, violence that may ultimately undo the political gains. Iran's presidency passed from a moderate reformer to a conservative neophyte, apparently consolidating power for the hard-liners and raising the nuclear question in Iran to new heights of international concern. Each workshop, paper, and public forum in this series was directly relevant to understanding the unfolding events in the region—a fine example of applying scholarship to current policy issues, and bringing knowledge to the problem-solving arena.

We were able to draw on a number of MIT faculty and graduates to contribute to this series, and we enjoyed the participation of a number of colleagues from other universities and institutions. It is our hope that with a continuing series on the Gulf, we can build new epistemic networks of concerned scholars willing to work collegially to address issues of great historical significance for international and human security.

We invite the readers of this report to join us in this endeavor, and welcome your reactions, suggestions, and insights about this report and the many issues it engages.

Stephen Van Evera

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The participants in the workshops and public forums, who are listed at the end of this booklet, generously contributed their knowledge and insights, and some of them traveled far to join us. Without their involvement, the project would not have been possible. To them we owe the greatest thanks.

Philip Khoury, Kenan Sahin Dean of the School of Humanities, Arts, and Social Sciences at MIT, was particularly encouraging in this endeavor. Professor Richard Samuels, Director of the Center for International Studies, has also been supportive from the outset. Professor Stephen Van Evera participated in each workshop and has been an important partner throughout the year. Nichole Argo, a doctoral student in political science at MIT and the research assistant on this project, aided in numerous ways, including excellent reports that informed this document. Casey Johnson-Houlihan of CIS helped in numerous ways as well.

Public forums were mounted in Cambridge, Washington, and New York, and we thank partners at MIT, the Woodrow Wilson International Center for Scholars, the Stimson Center, and the United Nations for hosting us.

This report uses the materials from the workshops and public forums—memos, the all-day discussions, articles and books by participants and other colleagues, etc.—to provide an account of issues of legitimacy and stability in three Gulf states. It is not a summary of the workshops. While many of the insights and observations are drawn from others, I am solely responsible for the interpretation herein.

John Tirman

December 2005 Cambridge, Mass.

The Crisis of Governance in the Gulf: Legitimacy and Stability in a Dark Time

Introduction

The three principal states surrounding the Persian Gulf—Saudi Arabia, Iraq, and Iran—are in the midst of a difficult period, separately derived and experienced in many respects but intertwined in others. Each suffers from discrete crises of governance attributable to some common causes: oil reserves, Western involvement (mainly because of the petroleum), histories of political repression, militant Islamic movements, and differing expectations—external and internal—about what norms should guide political and social governance. These causes and histories remain dynamic and troublesome today. While each state's problems of governance differ, they affect each other and they present a common challenge to the industrialized world that desperately needs the petroleum the Gulf produces.1

The three states are undergoing contested changes in political leadership, violence from foreign and native fighters, confrontations rooted in religious belief and institutions, economic dislocations, and opprobrium from the international community. Taken together, these are considerable in scale and consequences. And, at root, these phenomena represent three crises of legitimacy. When a state is regarded as possessing little or tenuous legitimacy, its stability is also in play. This most significant energy-producing region, geopolitically central, and the font of an Abrahamic religion and civilization itself, is anchored by states whose stability is potentially in jeopardy. Understanding why this is so must be atop the agenda of international relations scholarship and practice.

Sources of Legitimacy

Political theorists see legitimacy as an answer to a basic question of any political system, which is that of consent and obedience: citizens obey political rulers due to coercion, self-interest, or legitimacy, for example. Different social groups can and do have differing views of legitimate governance, and these differences can become a source of

OECD countries' net imports average about 26 million barrels of oil daily, of which 12 million, nearly half, are imported from Persian Gulf OPEC countries. See www.eia.doe.gov/emeu/ipsr/t31.xls.

social and political conflict. In such cases, the rightness of any particular claim to legitimacy—which, after all, is a social construct of domination, persuasion, or consent—is less important than the presence of rival claims and potential conflict. Conflict may arise between different types of legitimacy—traditional, charismatic, or rational/bureaucratic authority, in Weber's terms—or between different agents who derive their authority and power from the same type. The multiple questions of a legitimate political order include defining who is a member of that order, what rights obtain, how justice is conceived and applied, and how power is exercised in the enforcement of social norms and rules, among others. "Beliefs in legitimacy typically have a specific content," one scholar explains. "The compulsion to obey is never purely formal and empty, but on the contrary tends to embody some reason or reasons that ground political obedience, be they social utility, previous consent, emancipation, the venerability of tradition, or even the will of God."2

In the Western political tradition, regime legitimacy is measured by attributes such as accountability, efficiency or performance, procedural fairness, and distributive fairness.³ In another formulation: "When the articulate members of a population are by and large satisfied with the government's actions in the areas of identity, participation, distribution, equality, and sovereignty according to the norms they believe in, there is no crisis of legitimacy." But sources of legitimacy, rather than those mainly derived from performance, can be elusive, and tend to arise as salient problems when performance is contested. In the West, typically, the sources of legitimacy are found in formal constitutions with some suitable measure of public approval and popular sovereignty, even if the foundation of the state was forged in war, revolution, coup d'états, or other such means.

These two dimensions of legitimacy—"output" and "input"—are now commonplace understandings. As Robert Keohane puts it,

Outputs refer to the achievement of the substantive purposes of the organization, such as security and welfare. Inputs refer to the processes by which decisions are reached—whether they have certain attributes regarded as important by the audience. In the contemporary world, it is typically crucial for the legitimacy of

 $^{^2}$ M. Giglioli, "The Legitimacy of Mass Societies," Dissertation abstract, Princeton University (2004): 4.

³ M. Stephen Weatherford, "Measuring Political Legitimacy," *American Political Science Review.* 86:1 (March 1992): 150.

⁴ G. Hossain Razi, "Legitimacy, Religion, and Nationalism in the Middle East," American Political Science Review. 84:1 (March 1990): 70.

state policy that it be made and implemented by nationals of one's state, not by foreigners.⁵

One can bundle a number of notions into this convenient formulation. For example, input legitimacy could include accountability and procedural fairness; output legitimacy would encompass performance and distributive fairness. The political theorists will argue these points far more extensively, of course, and include the normative content inhering in traditional or charismatic authority.

For predominantly Muslim countries, this traditional source of legitimacy is crucial, and understanding the governance crises in the Gulf must include particular aspects of Islam as sources of legitimacy. Put simply, the state and its source of legitimacy—Islam—are intimately intertwined, almost inseparable, particularly in contrast to the West, where political legitimacy was long distinguished from the church ("render unto Caesar," etc.) and has instead been embedded in constitutionalism, common law, and implicit or explicit popular or elite consent. Contests involving legitimacy tend to be played out within this constitutional context. Islamic culture integrates political and religious obligations, and, as a potential result, rulers or political institutions that seem not to conform to proper religious practice or doctrine are in jeopardy of being considered illegitimate and subject to revolt.6

Legitimacy and the Three Crises

In Weber's language, Saudi Arabia's regime enjoys traditional authority, which is firmly rooted in religion, and this has special attributes and special difficulties. The Saudi royal family has undertaken the singular responsibility of protectors of the holy sites of Islam, and this is, by their own reckoning, a key source—perhaps the primary source—of political legitimacy. This is an attribute of "establishment Islam," and it is challenged to some significant degree by popular Islam. Deriving both legitimacy and authority from this religious fundament obligates the state to uphold certain values and forms of law and practice, which can earn particularly strong allegiance from citizens in return. The interpretation of the state's fealty to religious values is thereby crucial, in addition to performance criteria. Input legitimacy, in this case, has a Quranic cast.

⁵ Robert O. Keohane, "The Contingent Legitimacy of Multilateralism," in E. Newman, R. Thakur, and J. Tirman, eds., Multilateralism Under Challenge? Power, International Order and Structural Change (Tokyo: United Nations University Press, forthcoming). On this concept, Keohane cites Fritz Scharpf, Governing in Europe: Effective and Democratic? (Oxford: Oxford University Press, 1999).

⁶ Razi, op.cit., p. 84.

In Iraq, the legitimacy issue is also easy to grasp, though it is in flux because of the violent overthrow of the repressive Hussein regime, the imposition of a constitutional process that is problematic and contested in some significant ways, and what amounts to a civil war. The political leaders installed with the transfer of sovereignty from the U.S. occupation authorities in June 2004, and those elected under the terms of that transfer in the elections in January 2005, possess tenuous and temporary legitimacy. The perception of fair processes leading to a final constitution and the election of a new government are nonetheless crucial to longer-term legitimacy and stability. The role of Islam as a standard of legitimacy (and a source of stability) is at present confused: unlike Saudi Arabia, the contest is between Western conceptions of legitimacy (most prominently advocated by Kurds) and Muslim values (represented mainly by the majority Shi'a). Of course, Iraq is the one case of these three where stability is seriously in jeopardy, an odd situation in some respects, because they now have a popularly approved constitution.

Iran's difficulties are bound up with the different centers of power and the varying legitimacy they may or may not enjoy. The Islamic Revolution of 1979 was itself an event of doubtful legitimacy, but longevity has a way of conferring legitimacy on even mildly repressive regimes. While the United States attempted to undermine Khomeini and subsequent political and religious leaders and institutions, most of the world has recognized Iran's place at the global table, a place further secured by the apparently open and fair elections of 1997. The gradual though fitful growth of civil society and other liberalizing trends reinforced this sense of legitimacy for the Khatemi government, although less so for religious authorities. At the same time, however, the "output" legitimacy of the government was deteriorating, due to widespread perceptions of official corruption, economic underperformance, and capricious social and political repression. The tumult of the nuclear issue and the credibility of the June 2005 election have shaken Iran's hard-won legitimacy. Khatemi's tremulous government of "reform" was partially discredited by actions of other players—the Office of the Supreme Leader (Ayatollah Khamanei), the Revolutionary Guard, and those enforcing captious social norms. This fragmentation of power (or, again, the perceptions of such) also affects a principal challenge from the international community, that which denounces Iran's purported nuclear-weapons ambitions. In effect the challenge is frustrated by the difficulty of answering the question, "who rules Iran?" This question seemed to be answered decisively by the June 2005 elections and the conservative consolidation, but even now, in late 2005, the question of who is making nuclear policy, and what principles guide that policy, are unclear.

While not every political contest or international relations issue can be reduced to the miasma of legitimacy challenges, the significance of these questions in Saudi Arabia, Iraq, and Iran is undeniable. They are vexing questions internally and internationally. Exploring each in turn provides some deeper knowledge, if not satisfying answers, for scholars and practitioners involved in the Gulf.



Saudi Arabia: Stability, Islam, and Oil

The demise of Saudi Arabia as a stable state ruled by the al Saud family has long been predicted, but appears no closer to realization than it ever was. Since the Gulf war of 1991, and particularly after the 9/11 attacks, the issue of Saudi stability has been central to most discussions of the Gulf, particularly in U.S. policy circles. Yet in Riyadh and the country generally, no such sense of critical instability seems to be at work, while at the same time general wariness about militant Islam, a restive middle class, and meddling foreign democrats are constant reminders of deep-seated problems. The death of King Fahd during the summer of 2005 and the ascension to the throne of Abdullah once again raised issues of sovereignty and the place of the royal family—including the archaic system of succession—and these issues fester alongside all other political, economic, and social demands.

In part because Saudi society is relatively cloistered, global perceptions of its political dynamics self-generate and veer toward the dire. Consider, for example, Mugtedar Khan's comment in 2004 that the royal family could no longer rely on Wahhabists for social control and legitimacy, that it has chosen the United States as its principal source of security, and "is actively seeking to reform Wahhabism and reconstitute the domestic basis of its rule."7 Similar kinds of comments are commonplace, particularly with reference to internal security.8 In this discourse, at least five separate areas of worry for stability are suggested: the strengthening of the Wahhabists or their decline as guarantors of social control; the conditions for and signs of anti-West militancy; the rise of a harsh national security state; a potentially troublesome Shi'a minority; and economic and demographic challenges. Each holds its own legitimacy issues for the royal family, and while liberalizing reform is almost always proposed as a remedy, the precise path to reform and how it would circumvent the identified sources of instability are rarely articulated with convincing evidence. The discussions are, however, convincingly situated in Western concerns about oil security and Western norms regarding democracy and human rights.

⁷ M. Kahn, "Saudi Arabia Refashions its Soul," *The Daily Star*, May 7, 2004.

⁸ See, for example, Ian Bremer, "The Saudi Paradox," *World Policy Journal*, Fall 2004; International Crisis Group, "Saudi Arabia Backgrounder: Who are the Islamists?" Sept. 14, 2004; and A.H. Cordesman and Nawaf Obaid, "Al Qaeda in Saudi Arabia," January 2005. http://www.csis.org/burke/reports/050106_ Al-QaedainSaudi.pdf.

The crisis of governance appears to be one of balancing—taking into consideration the various and sometimes contradictory demands of constituencies important to the state. In that, the royal family has been adept. Despite many shocks to the system, including internal terrorism since 9/11, the regime appears to be enjoying remarkable stability, although warning signs remain vivid. Among close observers of the kingdom, there are disagreements about what those warning signs mean, and the sense of urgency they should convey.

Nation and Identity

Among the features of Saudi Arabia's history and current composition is a tension over nationhood. One workshop participant explains:

In Saudi Arabia there was never a meaningful national project. A nation did not predate the declaration of the state and the state failed to create one. It remains fragile and is under threat from religious extremists, from tribal loyalists, from loyal absolutists, and from external actors. But in some sense that long postponed national project is finally underway, albeit in fits and starts. It is a struggle to redefine the meaning of belonging: as citizen, as believer, and as nation.

The nation-building project has not entirely failed, but it is uneven in its organizing ideas and application. Textbooks clearly intend to instill a sense of nationalism. But the nurturing and enforcement of religious orthodoxy, coupled with the power conferred by the oil wealth—two main expressions of the state—have tended to substitute for other possible forms of national identity. This absence of a plausible or satisfying national identity engenders or reinforces social and political difficulties: for example, contested manifestations of religiosity, reversions to tribalism, and disgruntlement with royal privilege.

The practice of the state favoring certain parts of the country, and certain tribes (notably, its own), contributes to the fragmentation and varying degrees of exclusion. "The Saudi state destroyed the tribe, they destroyed the region," observes another participant. "You now have no identification except you and your immediate family. Every other traditional institution, they have vehemently and successfully destroyed and they have prevented civil society from emerging."

This "atomization" is a success on its own terms—modernization, in

⁹ Because the workshops were conducted on a not-for-attribution basis, those quoted in this report are not identified by name.

a sense—but the "tribal" or "genealogical" as a political and social category remains durable and reappears in various ways.

The extent to which this reversion to tribal categories is important is debatable, but the underlying point is that "it doesn't make a nation." Identity is fluid. A source of state legitimacy—nationhood—is potentially absent. Legitimacy and stability must then be derived from other forms of social organization, norms, and power to contend with demands for change. The twin pillars of Saudi legitimacy, as nearly all agree, are its relationship to Islam and the wealth from oil.

As noted earlier, the Saudi royal family is embedded in Islam as the protectors of the holy places of Mecca and Medina, and through the 200-year history of the Wahhabi movement, which came to be symbiotically linked to the al Saud, and which is now situated at the core of governance, identity, and ideology. This source of legitimacy is exceptionally strong and unique, although not without its setbacks, internecine intrigue, and the like. Perhaps most significant, as one workshop participant notes, "the success of modern Islamist discourse at permeating Saudi religious institutions—schools, universities, mosques—in the past forty years, ending the Wahhabi monopoly on public religious discourse and eroding al Saud's religious legitimacy."

The oil riches remain not only a source of wealth and stability, but legitimacy as well, as the ruling family has essentially promised a broad range of guaranteed social services. The most sorely tested pillar of its legitimacy may be the sometimes poor performance in delivering those services, and this has been underscored frequently by the Salafis (the most "fundamentalist" Sunnis) and even bin Laden.

These sources of legitimacy, then, are not nationalist, and they speak to identity only in the social sense of religious definitions, certain kinds of devotion and belonging. Since they are the edifice of legitimacy and stability, efforts to alter or reform them are particularly fraught.

The Sources of Reformism

In the West, the pressure for reform in Saudi Arabia (among other places in the Gulf and beyond) is always framed in liberal terms—reform to install democratic processes, legal equality, political freedoms, and the like. The U.S. State Department succinctly states this view in a Background Note:

Principal human rights problems include abuse of prisoners and incommunicado detention; prohibitions or severe restrictions on the freedoms of speech, press, peaceful assembly and association, and religion; denial of the right of citizens to change their govern-

ment; systematic discrimination against women and ethnic and religious minorities; and suppression of workers' rights.¹⁰

Reform can come in many shapes, however, and the pressures within the kingdom differ from the highly publicized prescriptions urged by human-rights groups and governments in Europe and the United States. It is these cross-currents themselves, not any single type or agent of pressure, which constitute an enormous challenge to the state.

Within the country, the calls for change only partially reflect the Western liberal tradition. When reform occurs, the royal family's calculations are not always the determining cause, although the state remains formidable when reform is seen as desirable or necessary. Sorting through the how and why of social and political change provides another perspective on the political health and dexterity of the regime.

We can describe three internal sources, or agents, of reform. First is the state, which has pushed reform in education, in trade and economic policy, and in social and political rights. Second are the "liberal" reformers, including the merchant class. Third are the pious, not a single force but representing different factions or traditions, and different—often contradictory—agendas, some of them quite militant.

The changes prompted by the state have at times seemed timid or partial, but they are nonetheless discernible. Changes in the educational curricula, for example, removed some of the most exclusionary language with respect to fealty to Islam and Wahhabism, and particularly the treatment of others. This process began before the liberalizing pressure grew from the outside after the 9/11 attacks. The educational reform is also aimed at improving the secular aspects of schooling, presumably to prepare students better for participation in the global economy. On trade and economics, the state has allowed or indeed encouraged a number of key industries—oil and finance especially—to be managed outside the patronage system of the royal family. "The civil service seeks to transform the kingdom into a major industrial power and needs protection from predatory princes and the Salafis who limit modernization of the kingdom's basic physical and intellectual structures," as one workshop participant puts it.

Social and political rights have gradually expanded as well. The municipal elections in the spring of 2005 was a narrow process, excluding women and controlling the lists and polls. Social reform,

¹⁰ U.S. Department of State Web site, http://www.state.gov/r/pa/ei/bgn/3584.htm.

while also slow and partial, has resulted in greater press freedom, national dialogues promoted by Prince Abdullah earlier this decade on religion and on women, and a steady if minimalist accretion of women's rights. Some of the reforms that appeared to be on a path of steady advance have apparently been slowed or stopped. High prices for oil, which historically brace the performance of the regime and its legitimacy and enables broader reform, may do so once again after Abdullah settles onto the throne.

Liberal reformers, some of whom have been imprisoned for their activism, generally promote the familiar political agenda of greater speech and assembly rights, women's rights, and the like. They are linked, rightly or not, with the pleas of outside forces in the global human-rights community. But there are also classes of merchants and the civil service, as noted earlier, which seek modernization in the economy and protection from the religious traditionalists. While these two forces are different in many respects, they represent a liberalizing influence in the Western political sense. But the absence of linking institutions and relationships between these groups, and the absence of a broader civil society, prevents the most compelling dimensions of these proto-westernizing agents (especially the rationalizing impetus of economics) from becoming a more integrated force independent of royal favor and tolerance. In fact, the mutual dependence and obligation between the merchants, the clergy, and the royal family are sources of strength, but also weakness, built as they are on social convention and privileges.

The ulama or Wahhabi religious establishment, while closely associated with the state, is a source of reform in the sense of representing a conservatism, including the social conservatism of the majority of the population, which can be adaptive or accommodating. Of course, it is this very accommodation that has stirred a number of challenges both to Wahhabism and the state from various quarters of politically active Islamists within Saudi Arabia, and the reaction, described in the next section.

The pressures for reform from outside the country come mainly in the form of Western democratic initiatives, to which European and U.S. governments—beholden to Saudi oil—have only recently begun to pay heed, and were mainly galvanized by international NGOs and news media. The municipal elections in April 2005, however, demonstrate the paradox of these outside demands, as the voters widely endorsed a list of Islamist conservatives sanctioned by religious leaders. As it has in other Muslim countries, a more open democratic process tends at this point to open the door to more religiously conservative or even reactionary forces.

With respect to outside sources of reform, what is perhaps most significant are the features of economic globalization that now visit Saudi Arabia, particularly its candidacy for the World Trade Organization (WTO). "Why is WTO accession so important?" asked one participant. "It is because it will create social engineering in the kingdom. It will automatically improve the legal situation for foreign companies and for Saudi companies . . . and the [economic] privileges of the royal family will disappear." The incentive for joining the WTO is mainly to ensure access to a global market for its petrochemical industry, an important source of revenue and employment in the future. The capabilities of the workforce and the growing openness of the economy and associated institutions to foreign influences constitute this mode of reform—the need for Saudi Arabia to adapt and change to meet the requirements of membership in the global economy.

The Militants' Challenge

What have set many people on edge are not the gradual and fitful reforms, but the assaults from jihadists. Spectacular attacks inside the kingdom brought a stern response from the state in 2003-04 particularly, with a number of alleged terrorists killed and jailed. The assessment of Saudi efforts in this regard, and the more tendentious matter of Saudi charities that may be conduits for money to politically violent groups like al Qaeda, vary considerably. The origins of the jihadists in Saudi Arabia are generally ascribed to the resistance to the Soviet occupation of Afghanistan beginning in 1979, an effort involving Saudi financial support and the migration of many Saudi volunteers to fight with the mujahedeen, and their return then to the kingdom. But there is little doubt that the Saudi state takes the threat from jihadists seriously now, and in fact is creating what some observers, including workshop participants, consider to be measures resembling those of a full-fledged police state.

The nature and causes of the challenge from militants is nonetheless worrisome, and directly affects both the possibilities for reform and the prospects for regime stability. If, for example, the struggle to free Afghanistan from Soviet control was the source of many militants operating today, the struggle in Iraq to end the U.S. occupation, supported actively by many Saudis (including a sizable number who are fighting in Iraq), is likely to become a font of jihadists as well.¹³

¹¹ See, for example, William F. Wechsler and Lee S. Wolosky, *Terrorist Financing* (New York: Council on Foreign Relations, 2002).

¹² International Crisis Group, "Who are the Jihadists?" ICG Middle East Report no. 31, September 2004.

¹³ The numbers are not clear. A June 2005 NBC News analysis of Web site postings found that 55 percent of foreign insurgents came from Saudi Arabia, 13 percent from Syria, 9 percent from North Africa and 3 percent from Europe. (See http://msnbc.msn.com/id/8293410/.)

More broadly, discontent with the regime and Wahhabi clergy continues to simmer. Several militant groups have contested the authority of the ulama, Salafist groups for the most part that regard the royal family as corrupt and decadent and the Wahhabi establishment as mere courtiers. The king's decision to permit U.S. troops to be stationed in Saudi Arabia in 1990 (and until 2002), which was supported by a fatwa, was the most widely decried controversy in the history of this collaboration. ¹⁴ But the differences between the Wahhabists and the Salafis may be overstated. Public opinion is difficult to measure in Saudi Arabia, but the municipal elections seem to show that Islamists of varying stripes, militancy, and links to Wahhabism enjoy vast support. As one workshop participant notes:

The government needs to maintain its alliance with the ulama, and their role in combating radical Islamist ideas and activities is integral to the fight in which the government has been engaged over the last two years against al Qaeda and its supporters. To succeed in this role, the ulama require that their credibility be shored up and their positions respected, which means that some of the modernizing and social changes would have to be deferred. If we now add the increase in public participatory institutions and arrangements, the government faces very bad tradeoffs: To embark on social liberalization and go against public sentiment and at the same time weaken their natural allies, the jurists, against radicalism, or to forego such liberalization, strengthen the ulama, and assuage public opinion at a time when participation seems to be the mantra of the day.

In any case, he notes, "the old style of social reform from above is no longer viable."

Given how ferocious the state's response to the militancy of the jihadists has been, it may be, as many see it, that the al Saud are not in danger of being overrun by an essentially right-wing, religious revolution. Juxtaposing the military coups in the Arab world decades ago with Saudi-like monarchies, which tend to be resistant to such action, one participant states that "Islamists, by contrast, arguably have a much broader base of support," yet have been "challenging the Saudi

¹⁴ Abdulaziz H. Al-Fahad, "From Exclusivism to Accommodation: Doctrinal and Legal Evolution of Wahhabism," New York University Law Review. 79:2 (May 2004): 485-519.

regime for a good while now . . . [and] the regime has shown itself able to withstand this challenge over the course of a number of years."

Stability or Instability?

"The Arab world, and Saudi Arabia, have consistently displayed incredible stability, which . . . is more dangerous than the instability that has been talked about for the last thirty years," notes a participant. And the point is well taken: without the "circulation of power," regimes grow complacent, corrupt, and insensitive to the people, who can only effectively express themselves through a free expression of ideas and political competition.

Saudi Arabia, as stable perhaps as any regime in the Muslim world, nonetheless faces a number of acute problems that can erode its legitimacy and power, and make for a rocky transition to some other form of governance.

Perhaps the most significant cloud on the horizon is the economy. There are several dimensions to this. First is the price of oil, now high and apparently going higher. This can induce the "Dutch disease," in which the export sector is so strong it raises the currency exchange rate, with other domestic industries and agriculture suffering as a result.15 This is particularly problematic for the Saudis, because of exceptionally high rates of unemployment (more than 25 percent) among Saudi youth and the need for private development to create jobs. At some point, the world economy will likely stop growing as a result of these oil price hikes, and this—if the past is a guide—will then result in a drop in oil prices. These fluctuations in the price of oil are traumatic for such an export economy, and for the attempts to diversify the economic base. There is considerable concern about the actual size of Saudi Arabia's recoverable oil reserves (although an actual decline in production is improbable in the coming decade). An associated concern stems from the labor pool: an enormous number of workers are foreign, especially in the service sector, and skilled Saudis are in short supply for some of the high-end prospects for economic development. Free trade agreements and WTO membership may make it more difficult to jumpstart non-hydrocarbon industries, as cheap goods are imported (again, an effect of the Dutch disease). As a result of these factors, the possibility of increased inequality and further declines in per capita income seem evident, and would be potentially troublesome if the regime is viewed as impotent or uncaring even in a period of high oil prices.

¹⁵ Robert Looney, "Development Strategies for Saudi Arabia: Escaping the Rentier State Syndrome," *Strategic Insights.* III:3 (March 2004), on-line at http://www.ccc.nps.navy.mil/si/2004/mar/looneyMar04.pdf.

While most workshop participants were not convinced the war in Iraq would have a significant impact on Saudi stability, the persistence of the violence, its increasingly sectarian nature, and the mounting reports of participation by Saudi nationals altogether constitute an alarming set of trends. Other neighbors are getting involved, sometimes in support of the insurgency, or, in the case of Iran, in support of Shi'a interests. Saudi Arabia's Shi'a minority, about 10 percent of the country's population, has not in the past posed a threat of militancy, although there are reports to the contrary. The consolidation of democracy in Baghdad, or, more ominously, a civil war essentially pitting Arab Sunnis against Arab Shi'as, cannot help but have an effect in Saudi Arabia. What that effect might be remains wholly unclear, however, but bracing the stability of the regime is not obvious among the possibilities.

What appears most vexing for the royal family is sustaining its legitimacy and claim to exclusive power in the face of the "democratic moment" in the region, a moment perhaps ephemeral but nonetheless exerting some political force. Whether it is a moment occasioned by the Bush administration's assertiveness in the region or a longer-term trend in global politics is less important than its persistent relevance for the kingdom. The very slight movement toward democracy within Saudi Arabia, i.e., the municipal elections of April 2005, is more meaningful than its narrowness implies; in the words of one participant who has done comparative research in the region, "by giving people the right to go to the polls, it substantiates the principle that they should have a democratic voice. Gradually, over time, that can lead to political pressures." But the pressures would then lead to what? The history of transitions from monarchies does not suggest a single step to democratic governance. Kuwait (among other Gulf and Arab states with hereditary heads of state) has been experimenting with democratizing or broadening governance. In this, says one participant, "there may well be a large measure of self-interest, albeit enlightened, and some noblesse oblige, but those are both attributes the Saudis seem to lack." So the question of a democratic transition will continue to churn. It is widely agreed that the Saudi population would welcome a broader and more significant democracy (the matter of women's voting rights aside), which is to say, more "input legitimacy." Getting to such a place without disturbing the delicate balances affecting output legitimacy—well-managed oil wealth and its public goods—and the demands of social reform, integration into the world economy, the vaunted place of the Wahhabi clerics, and royal privilege itself, is a perilous journey.



Iraq: State Formation Amidst Violence

The post-Saddam period in Iraq has produced a new government, a broad enfranchisement, new acceptance in the international community, and constitutional protections of political, economic, and religious freedoms. Yet the average Iraqi can reach out and touch none of these things. Instead, life in post-Saddam Iraq has consumed the average Iraqi in its insecurity: daily life is enveloped in brutal political violence, some of it sectarian; an imposing, disorganized foreign occupation that has failed to provide electricity and water, much less civilian safety; and sharp disagreements about the shape of, and process of shaping, a new polity. The questions we explore below revolve around these problems—that is, the difficulties of state formation in the midst of unrelenting violence.

The termination of the Saddam Hussein dictatorship and the attempt to create a liberal democracy in its place appear to have broad support in Iraq. At the same time, the gross miscalculations of the Bush administration with respect to the challenges following Hussein's ouster have cast doubt on the mission as a whole, its original intent, and long-term prospects. The missteps of the president and his aides are not the central concern here, but rather the situation as it has evolved in Iraq—namely, the varied impediments to state formation: extreme violence by coalition forces and insurgents, allegedly growing violence by Iraqi security forces (police and militias), worrisome levels of criminality, economic and social dislocations, and inter-communal strife.

That a state will form is not at question. A constitution has been written by Iraqis and approved by the rules of the transitional authority. The question is, what will be formed? Or, more to the point, how will the processes underlying its creation alter the rules, realization, and, ultimately, the acceptance of the new state by Iraqis? The state is being shaped as much by violence as by constitutional negotiations, with direct consequences for its prospects of achieving the goals of liberal democracy, security, and welfare. Understanding this unfolding drama is the core of our inquiry.

Studies of democratic state building are generally not optimistic when applied to Iraq. Theorists of democratic development have warned against imposing democracy in divided countries; some also caution against establishing armies in such conditions. Weak or transitioning democracies—where the legitimacy of governing institutions is

contested—are more prone to civil wars. Geographic location is also important: if neighbors try to destabilize a fledgling state, they likely will succeed sooner or later. And in terms of creating or transforming institutions, majority rule can result in illiberal governance, a troubling paradox. There are a number of other comparative insights that can be applied to Iraq, including econometric gauges of democratic development, the so-called resource curse, and a useful literature on the role of security forces in state formation. ¹⁶ But these are best as starting points, or aids, for analysis of Iraq's prospects for successful (and democratic) state building. No outcome is preordained.

The Sources of Violence

The violence that besieges Iraq can be differentiated into four categories, which is somewhat helpful in understanding the political challenges. The first, which is currently most disruptive and promises to continue, comes from the insurgency based in the disaffected Sunni Arab community. This is estimated to have taken 12,000 lives. It appears to be rooted in elements of the Ba'ath Party, the former army, the tribes loyal to Saddam, and Sunni Arab youth. On top of this, playing a catalyzing role, are violent exogenous groups such as "Al Qaeda in Mesopotamia" and "freelancers" from Syria and Saudi Arabia particularly. Estimates of the strength of the insurgency as a whole range up to about 20,000 fighters.

The second major source of organized violence is from the U.S.-led coalition, including the "excess deaths" attributed to the formal period of the war (until the Saddam Hussein regime was toppled) and subsequent efforts to subdue the insurgency. Between 50,000 and 200,000 civilians and insurgents have been killed by the coalition, mainly Sunni, but also in the Shi'a areas of southern Iraq. 17 To the

¹⁶ On comparisons, see Chappell Lawson, "How Best to Build Democracy: Laying a Foundation for the New Iraq," Foreign Affairs, July/August 2003; and Lisa Anderson, ed., Transitions to Democracy (New York: Columbia University Press, 1999), especially the introduction and Dankwart Rustow's seminal essay. On security forces, see esp. Diane Davis and Anthony W. Pereira, eds., Irregular Armed Forces and Their Role in Politics and State Formation (Cambridge UK: Cambridge University Press, 2003). The "resource curse" is taken up later in this section.

¹⁷ The most credible estimates of excess deaths due to violence of the war and occupation period are found in L. Roberts, R. Lafta, R. Garfield, J. Khudhari, and G. Burnham, "Mortality before and after the 2003 invasion of Iraq: cluster sample survey," *The Lancet*, v.364 (20 Nov 2004): 1857-1864, which provides a mid-range estimate of 98,000 deaths in the first 18 months of operation (March 2003-September 2004), with 80 percent due to actions of the coalition forces. This excluded Falluja and included the Kurdish north. Not all workshop participants agree with this size of estimate. Even the lowest counts, however, (via deaths listed in reports, a crude method) put the number at about 30,000. The ratio of insurgents killed to civilians killed is difficult to estimate, but by combining different modes of analysis, it is likely to be about 1:3 for the entire period of armed conflict.

extent that civilian deaths particularly have been caused by U.S. military actions, it would be one prominent explanatory factor in understanding the insurgency and its longer-term prospects. Appreciating the sources of insurgent violence, as well as its ideology, demographics, support networks, et cetera, is equally significant.

Constituting a third category of violent actors is a proliferation of militias and irregular armies, at times under the protection of political or tribal leaders. While they may be precursors to the substate governate security forces in coming years, they act independently of, and sometimes at odds with the current government. It is difficult to estimate the violence and civilian casualties attributable to these militias or other even less legitimate armed bands, but the impacts are likely to be significantly destabilizing. 18 Some 60 such militias have been identified. Like the fourth category—growing levels of criminality in Iraq—militia violence and intimidation intensifies local insecurities, decreases street safety, raises the costs of starting and sustaining small businesses, etc. Lack of order may spur abiding distrust of local and provincial governments, already regarded as incompetent or corrupt. Regardless of what comes with the insurgency (which, by most estimates, will continue for years), both the militias and general criminality threaten to further undermine the legitimacy and stability of the fledgling Iraqi state.

The Nature of Sectarianism

Identity issues are often cited as a root cause of Iraqi violence and a major factor in its poor prospects for stability. Proponents point to how insurgent violence has been increasingly aimed at the Shi'a (and to a lesser extent at Kurds), especially in 2005; reports of reprisals are growing. ¹⁹ There is no doubt that sectarianism plays a role in the continuing violence there, but whether it started as a cause or a consequence is difficult to ascertain. Today it is both.

¹⁸ UN Assistance Mission for Iraq, *Human Rights Report*. 1 July–1 August 2005: 1-5. On-line at http://www.uniraq.org/, which documents some of this violence; see also, Greg Jaffe, "New Factor in Iraq: irregular brigades fill security void," *Wall Street Journal* (Feb 12, 2005): 1. Also, Richard A. Oppel Jr., "The Struggle For Iraq: The Insurgency; In Basra, Militia Controls By Fear," *New York Times* (October 9, 2005): 1. One workshop participant notes that militias are rarely integrated successfully into national armies, although in Iraq the difficulties will come with competing militias within the same supergovernates.

¹⁹ There is "considerable evidence linking strategic aspects of construction of ethnic identities to violence," write two major scholars of conflict. "Large scale ethnic violence is provoked by elites seeking to gain, maintain, or increase their hold on political power . . . Violence has the effect, intended by the elites, of constructing group identities in more antagonistic and rigid ways." James D. Fearon and David Laitin, "Violence and the Social Construction of Ethnic Identity," *International Organization*. 54: 4 (Autumn 2000): 848.

Many argue that ethnic or sectarian identities have been reinforced rather than diluted by the way the United States structured the post-occupation political apparatus. American political leaders and advisers visualized the citizenry in three ethnic boxes, and a system was built on that foundation. "We took an enormously simplistic approach," said one workshop participant, "that the Shi'a as a group were monolithic in their history, their economics, and their politics; that the Sunnis were mostly in the center. There was no sense of having any blurred lines, no idea of an agrarian Sunni having more in common with an agrarian Shi'a than his urban, intellectual, coreligious neighbor." Some Iraqis agree, echoing a common plea in the street: "Please don't Lebanonize us"—which is to say, do not create a system that perpetuates and hardens ethnic and religious identities to the detriment of the polity as a whole.

To some degree, sectarianism derives from the Ottoman empire, which organized Iraqi society along ethnic lines. Only Sunnis were allowed to enter Ottoman institutions such as the army and civil service, and strong trading ties between Sunni Northern/Central Iraq and the Ottoman center further bolstered the pro-Sunni opportunity bias. Political and economic sectarian inequalities did not continue unchecked, however. Following a military coup d'état in 1958, autocratic Prime Minister Abdul Karim Qasim ruled his new republic in an unequivocally non-sectarian manner, building on earlier traditions, particularly in civil society, that favored non-sectarian social organization.²⁰ The case can be made, therefore, that ethnic differences we witness today are not primordial, unequivocal, or even longstanding. They are certainly not an outgrowth of indigenous culture.

The constitution drafted during the summer of 2005 does institutionalize ethno-sectarian divisions by permitting political units to coalesce into super-governates that will follow essentially ethnic or confessional lines. This is in part due to the unusual fact of Kurdish autonomy engineered following the 1991 Gulf War, a status no one has expected the Kurds to forfeit. What did surprise some was how Shi'a leaders seized upon the same political construction to advance

²⁰ During the First World War, Shi'a clerics issued fatwas against the British invasion that encompassed, geographically, what is now the nation state—to protect not just Shiites, but all Iraqis. Similarly, the 1920 Revolution figures heavily into the founding mythology of Iraqi nationalism. In what can only be described as an ecumenical event, Shiites and Sunnis held a healthy cultural competition, characterized by praying at their respective mosques, celebrating festivals, competing over who could produce better nationalism poetry, poets being sent to the countryside to try to link the urban and rural populations. Muslim nationals implored Jews and Christians to participate, going to the Jewish border of 1920 Baghdad, saying: "Look, you're full Iraqi citizens. You should be involved in this activity." These types of cross-sectarian alliances continued up until February 1963, when the first Ba'athist Party came to power.

their own interests. It is difficult to predict the consequences of an Iraq based on three loosely federated regions. Would decisive provincial boundaries intensify sectarian hostility, or quell it? The federalist structure may permit a kind of balancing in which the regions like Kurdistan, unable to separate completely from the state, are still protected from the whims of the majority. Given this structural safety net against group discrimination, we may actually observe that identity boundaries relax. At any rate, doubts that this constitution can overcome burgeoning sectarianism persist. Disregarding the issue of identity, the federalist formulation is also subject to the challenge of continued insurgent violence, the unsettled rules of the federation and the uncertainty that will breed between groups, and outside/regional influences.

The State-Building Project

Scholars have developed a rich understanding of the state formation process, though much work remains at the level of microfoundations. Its applicability to any particular situation, therefore, is not clear. State formation in Iraq is additionally complex due to the influence of occupying powers, continuous and evolving violence, the unique institutional and historical status of an autonomous, Kurdish region, and the unexpected exertion of informal power by Shi'a leader Ayatollah Sistani. That said, however, the literature sheds light on those factors most salient to Iraq's future.

Much of the research on state formation has focused on the consequences of organized violence throughout consolidation, and on how states forge relations—autonomy, coercive power, etc.—with society. Among the conclusions of such research is that "unsuccessful states are constrained by their social context and are unable to act independently."21 Conversely, state makers who could exercise a monopoly of coercion over a distinct territory were often successful. How do scholars define success? The capacity to redefine and limit social organization is one definition of successful state formation. And, importantly, a number of scholars see "states as predatory rational actors engaged in maximizing their power and wealth as well as their territorial and administrative well being."22 Rentier states (which depend on one mineral resource, like oil, for at least 10 percent of GDP and/or 40 percent of export income) such as Iraq often have more problematic relations with society, as they are subject to less of a need to negotiate taxation terms with social elites. This creates a potential to level class

²¹ Karen Barkey and Sunita Parikh, "Comparative Perspectives on the State," *Annual Review of Sociology*. 1991 (17): 523-49.

²² Ibid.

distinctions and make ethnic and religious differences more significant; the rentier class can behave as it pleases, disconnected from social and political constraints. It is also widely posited that rentier states are more prone to militarization and civil war. Resource abundance, distributional inequalities, and poorly managed economies with plentiful resources tend to fuel internal conflicts. ²³

State consolidation in Iraq, then, should be assessed in part according to these kinds of cautions. It appears that the CPA, transitional authorities, and constitutional negotiators have not been mindful of these historical lessons. For example, the coalition has assumed its own legitimacy from the beginning, yet an occupier, no matter how well meaning, is usually received with skepticism. Legitimacy is earned, and it takes time. Empowering Iraqis and delivering services were (and are) two pillars of any meaningful attempt to ensure stability and legitimacy. As one workshop participant noted, however, the CPA repeatedly chose control over legitimacy. In creating local councils, for instance, it "faced the choice of organizing elections to legitimize the new councils but risk their takeover by Islamists and others perceived as inimical to U.S. interests, or appointing council members who would try to make up for their legitimacy deficit through effective governance and an active role in reconstruction. It chose the latter." An organic devolution of power made the coalition nervous at that time, he notes, but suspicion of devolution was itself a consequence of the burgeoning civil war and the need for output (performance) legitimacy. "The CPA never allowed the new governing structures at the local level to realize their potential and contribute to the rise of an elected, representative Iraqi leadership from the bottom up."24 All the more, then, state formation appeared as an act of centralized, foreign authority. This had the effect, intended or not, of strengthening the powerful social organizations cooperating with the CPA—Kurds and nonviolent Shi'a clergy—who then were able, through the elections of January 2005 and the resulting constitutional process, to collapse the prospect of a strong central state and opt instead for the tripartite division to which Iraq now seems destined.

²³ Jonathan DiJohn, "Mineral Resource Abundance and Violent Political Conflict: A Critical Assessment of the Rentier State Model." LSE Crisis States Programme, Working Paper No. 20 (December 2002): 4. On-line at http://www.crisisstates.com/download/wp/lowres/WP20.pdf. On the resource curse, see Nancy Birdsall and Arvind Subramanian, "Saving Iraq from Its Oil," Foreign Affairs, July-August 2004; James D. Fearon, "Primary Commodity Exports and Civil War," Journal of Conflict Resolution 2005 49: 483-507; and a contrary view, Osmel Manzano, Roberto Rigobon, "Resource Curse or Debt Overhang?" NBER Working Paper No. 8390 (July 2001).

²⁴ Joost Hilterman, "Out of the Ashes...and into the Frying Pan?" Memo for MIT workshop, April 27, 2005.

At the same time, the vicious cycle of impoverishment and lack of services has combined with acute insecurity to worsen both stability and legitimacy. A tendency—well established in post-conflict reconstruction efforts²⁵—to introduce market liberalization rules in the recovery period, with dodgy results, is recurring in Iraq. The problem with market economics in such situations revolves around the lack of demand, high unemployment, lack of investor confidence, rampant crime and plentiful corruption, and a fierce and politically fraught competition for control over oil. Iraq also has a very large informal sector, which impedes markets. Among the most durable problems is the lack of confidence in the making of rules or a legal framework, a key responsibility of a functioning state. The absence or erosion of social capital, primarily the social trust necessary for markets to operate, is another victim of the violence. The constitution apparently does not rectify any of these problems, and indeed may exacerbate some, as with a distribution of oil wealth that is formally equitable but, as production fields are developed, are likely to favor the Kurds and Shi'a.

The United States did not set out merely to reconstruct a viable state in Iraq: it intended to create a democratic state. The literature on such aspirations is not especially encouraging, as noted by several workshop participants. Again, the violence cannot be separated from the state building effort: "Successful counter-insurgency requires the execution of complex strategies that requires the occupying army to be above the law," writes one participant, "to manipulate societal segments in ways that make them more weary from each other than from the occupier, and to mete different positive and negative sanctions to various segments." Counter-insurgency, in other words, demands consistent and fierce behaviors at odds with democratic practice, "the rule of law, a unified population, and equal treatment for all." The rentier state syndrome, the sectarian divisions, the history of oppression and lack of a democratic culture, among other factors, already make the idea of democratic governance tenuous. Add to these factors the conditions of civil war, meddling from neighbors, growing and largely authoritarian religious organizations, and the poor record of the United States in democratic nation-building, and the picture appears even gloomier.26

There is some counter evidence, however, on democracy's prospects. The Kurdish region has made progress as a democratic entity, although questions persist about long-term stability (the two major tribes/parties are longtime rivals, often violently so) and secessionist

²⁵ See Mark Duffield, Global Governance and the New Wars: The Merging of Development and Security (London: Zed Books, 2001); and Roland Paris, At War's End: Building Peace After Civil Conflict (Cambridge, U.K.: Cambridge University Press, 2004), esp. chapter 6.

intentions. Despite the violence and economic disarray, there are signs that civil society may be reëmerging in Baghdad. Building the political process, however fitful and contentious, has proceeded according to a schedule and is earning high participation rates in much of the country.

The outlook for democratic governance and stability seems to hinge on two factors. The first is socioeconomic equity and stability. Several participants urged an equitable distribution of oil income, one that was not subject to manipulation. Another asked, "How can we think about developing democratic governance in Iraq, one which is consistent with the Iraqi nationalist movement which has always emphasized...the social question?" There is "the idea that you can't have democracy unless you have a decent standard of living." This idea is linked to that of social trust. The second factor, of course, is security.

The Fragmentation of Security, and Security Interests

The problem of security is not simply its absence in Iraq, more than 30 months after the fall of Saddam. More profound are the ways in which violence and insecurity have shaped political discourse and action, and how these political choices will in turn affect security. A cycle has been created, regardless of how it started, in which the insecurity of everyday life becomes politically salient from neighborhoods to parliaments. One participant put the problem starkly:

the re-born Iraqi polity has been marked by escalating violence embodied in a home-grown insurgency, rampant crime in an environment of endemic lawlessness, an on-going alien military occupation, the flowering of militias linked to political parties, and the emergence of Iraqi security forces that remain weak, lack discipline, and are prone to violating human rights. The monopoly over violence, in other words, has become diffuse, and this is vastly complicating the task of state-building, which additionally has to accommodate the rise of religiosity and Islamic activism . . . 27

²⁶ A large-scale, longitudinal econometric study of democracy and state failure notes: "the highest risk of political crisis lies . . . in autocracies with some political competition and in nominal democracies with factional competition and/or dominant chief executives. These types of regimes appear most vulnerable to the outbreak of large-scale violence, antidemocratic coups, and state collapse. Among the most important lessons to emerge is the importance of avoiding factionalism." Jack Goldstone and Jay Ulfelder, "How to Construct Stable Democracies," *Washington Quarterly* (Winter 2004-05): 17.

²⁷ Hilterman, op. cit., p. 1.

This description underscores the fragmentation of security, or of security forces, legal constraints, jurisdictions, and so forth—in short, an inability or unwillingness to create a unified state that possesses a unified security strategy, force structure, norms, et cetera. And this failure or unwillingness to "defragment" security appears to be related to ethno-religious divisions, preexisting political autonomy, and "Lebanonization" by outside forces: tendencies toward political fragmentation that quickly hardened as the security situation deteriorated in the latter half of 2003.

That the constitution does little to "defragment" is now widely recognized; indeed, it would seem to facilitate fragmentation, without addressing the sources of division or inequality. Super-governates and individual provinces seem likely to develop and mobilize security forces, a potentially harrowing prospect. Oil revenues are unlikely to be evenly distributed. The Sunni Arab areas of central Iraq could fester as a relatively impoverished and underdeveloped conflict zone while Kurds remain safe in their northern provinces and Shi'a dominate up to nine provinces in the south, the area with the largest oil reserves. Neither Kurds nor Shi'a have a strong interest in policing the center, although the fate of Baghdad—with its sizable Shi'a population and firebrand, Muqtada al-Sadr—as well as that of the contested oil-rich city of Kirkuk, are especially problematic. As the civil war prolongs, the U.S. military begins to withdraw, and ethnic and religious bases of political identity become embedded, the divisions become institutionalized and normalized—division backed by armed force becomes not only an expression of elite interests, but mass preference and acquired belief systems.

On the surface, then, the prospects for stability in Iraq appear bleak. It is not merely the insurgency or the violence wrought by the occupation authority that makes these prospects bleak, but what we know of other such situations, however singular each may be. Among these lessons is the difficulty of subordinating security forces in state making (or sub-state making, as the case may be in Iraq); the proliferation of militias, both legal and illegal, to serve the needs of political leaders and others; and the incentives for predation by ruling elites when afforded sizable armed forces and lootable resources, among others already mentioned. To cite just one example: Colombia, in which the central state never enjoyed effective control over the entire country, underwent reforms in the 1980s to liberalize politics and economics in ways that only exacerbated the conflict.28 The experience in Bosnia also suggests how the classic security dilemma hardens positions over time, especially when factions are doubtful about the international commitment to provide security.29

More troubling still is the capacity for imposed or negotiated political forms—a constitution, for example—to merely "mask" status hierarchies that are sustained by "fields of public violence," as historian Robert H. Holden puts it. Quoting Octavio Paz on the "constitutional principles that formally ruled the continent since independence":

They merely served as modern trappings for the survivals of the colonial system. This liberal, democratic ideology, far from expressing our concrete historical situation, disguised it, and the political lie established itself almost constitutionally. The moral damage it has caused is incalculable; it has affected profound areas of our existence. We move about in this lie with complete naturalness. For over a hundred years we have suffered from regimes that have been at the service of feudal oligarchies but have utilized the language of freedom. The situation has continued to our own day. 30

Creating a political formula that avoids the instability of institutionalized ethno-sectarian politics and fragmented security spheres remains a possibility in Iraq, but the rentier governates and forces of division are now in control, forces that apparently possess very different goals, historical experience, social and ideological compositions, patron states, and openness to the kinds of democratic norms that the United States has sought to foster. Driving them apart still further are the insurgency and other forms of organized violence, the prospects for enormous oil wealth, and the eventuality of U.S. withdrawal. Establishing unifying legitimacy and peaceable stability for the Iraqi state in this tumultuous milieu, then, seems a very unlikely outcome.

^{28 &}quot;Recent efforts at state-political decentralization implemented in the late 1980s precisely to facilitate Colombia's democratic transition toward a more liberalized state and economy have contributed to the regional violence and the internal breakdown of the state, by unleashing broader competition for local offices and thus increasing elites' interests in maintaining coercive forces and the subnational level." Diane Davis, "Contemporary Challenges and Historical Reflections on the Study of Militaries, States, and Politics," in Davis and Pereira, op.cit.: 22.

^{29 &}quot;The willingness of outsiders to send in troops to help break the security dilemma by reestablishing a secure environment is not sufficient if the negotiated agreement itself does not address the security fears of the population and the structural conditions that can create a security dilemma. If the outsiders who assist in ending the parties' civil war do not understand the security dilemma, or are unwilling to see it operating in the particular case, they can even intensify the security dilemma and prolong the perceptions of vulnerability that inhibit cooperation." Susan Woodward, "How Not to End a Civil War," in Barbara Walter and Jack Snyder, eds., *Civil Wars, Insecurity, and Intervention* (New York: Columbia University Press, 1999): 73-115.

³⁰ The Labyrinth of Solitude: Life and Thought in Mexico, trans. Lysander Kemp (New York: Grove Press, 1961): 122-3; quoted in Armies Without Nations: Public Violence and State Formation in Central America 1821-1960 (New York: Oxford University Press, 2004): 18.



Iran and the Nuclear Question

The question posed in this workshop series with respect to Iran is simple, but often overlooked in Western political discourse: Who is making decisions about its controversial nuclear development program? The intentions of this decision making, the strategic and domestic objectives of the program, the range of flexibility and compromise, the potential for "spoilers," the trajectory of the technological capability, and the impact on democratic processes are all related to a detailed answer to this question. The assumption that the "mullahs" make decisions is not enough, and not correct. Like any large, complex country, Iran's decision-making structures, or habits, are multidimensional. In the United States, to cite a familiar example, it matters greatly if decisions on nuclear policy are made by scientists at Livermore Lab, the Joint Chiefs, a politicized National Security Council, or career diplomats at the State Department. By asking this question about the Islamic Republic, moreover, we generate insights about Iran's governance more broadly.

With the contested election of Mahmoud Ahmadinejad in June 2005, the crisis of governance intensified in some important respects. The first round of the election results was challenged by several leading political figures as having been rigged, and later reports pointed to elements of the Revolutionary Guard as having engineered the "irregularities." (Still, sizable numbers voted for Ahmadinejad in the second and final round, displaying discontent with the economic performance of reformers.) The contested election follows the stripping of the reform Majlis of its reformers in early 2004. As a result, the legitimacy of the regime is again in play, internationally and domestically, although the extent of the problem of legitimacy will likely depend on Ahmadinejad's performance in the coming months. What initially bolsters his position is the economic failure in Iran under the reform president, Mohammad Khatami (1997-2005), and what may now be seen as a conservative consolidation of the governing instruments of the state.

The presidential elections, while of interest in many respects, do not alter the main question of this inquiry: who rules, and particularly, who rules Iran's nuclear ambitions? Khatami, after all, was an enthusiast of nuclear development; among ruling elites, indeed, the issue is not controversial in its broad shape. But precisely how far Iran is going with its nuclear program—to nuclear weapons capability or not—and

how the set of decisions is made on that direction is a matter of disagreement and misunderstanding. And with that, we are not easily able to appreciate the stability or direction of the program, nor of the regime.

Power Structure

Workshop participants argued that the secret to the 26-year stability of the Islamic Revolution's regime lies in its structural complexity, and therefore, flexibility—it is dynamic and fragmented, and more variegated and sophisticated than a simple, rigid hierarchy. Its decision-making structure includes both formal and informal brokers, and the most important of the latter operate behind the scenes. In particular, the election of Khatami in 1997 convinced the Revolutionary Guard and other players to utilize the state's dual governing structure—its flexibility and adaptivity—to its advantage. This has had momentous consequences for governance generally and the nuclear issue itself.

Without question, the highest authority in Iran is the Supreme Leader, who issues decrees on various issues of fiqh (Islamic jurisprudence). He is elected by a Council of Experts, who are 70 mujtahids (jurisprudents) directly elected by the people from an approved list. The House of the Supreme Leader includes "turbaned" political activists/bureaucrats, clerics trained for government roles, as well as right-wing intellectuals. (It also includes the Khuza, an amorphous compilation of conservative senior players who are well represented in the foundations, in the various supervisory councils, and in the Council of Guardians.) The Supreme Leader since 1990 has been Ayatollah Sayyid Ali Khamenei, following Khomeini.

On national security matters, the institutional body clearly most empowered is the Supreme Council for National Security (SCNS), which is headed by a representative of Khamenei. The SCNS appears to be fragmented into committees and its very composition brings in a large number of official players who logically could be at odds with each other on the basis of institutional interests alone.³¹ The Supreme Council's relatively minor role during the Iran-Iraq War increased in 1997 to curb or counter the reformist surge. It formalized over time,

³¹ The constitution states: "The Council shall consist of: heads of three branches of the government, chief of the Supreme Command Council of the Armed Forces, the officer in charge of the planning and budget affairs, two representatives nominated by the Leader, ministers of foreign affairs, interior, and information, a minister related with the subject, and the highest ranking officials from the Armed Forces and the Islamic Revolution's Guards Corps. Commensurate with its duties, the Supreme Council for National Security shall form sub-councils such as Defence Sub-council and National Security Sub-council." Sec. 13, Article 176. See http://www.iranonline.com/iran/iran-info/Government/constitution-13.html.

and today reaches into foreign and security policy. At the heart of the parallel and intersecting networks of governance is the Secretariat of the Supreme Leader, which works through the SCNS. More broadly, the SCNS is set up to allow persons who are not typically part of the formal decision-making apparatus to participate in policy making—senior ayatollahs associated with the powerful religious foundations, operatives from the Ministry of Intelligence, the Murtalazed Group, and others. Little is known about SCNS's inner workings, though it is reported to hold nine committees, the membership of which is kept secret. So the system, even within the SCNS, favors opacity and parallelism. The government now headed by Ahmadinejad does not have control over the SCNS (although he is formally the convener of its committees); and the foreign ministry, at least under Khatami, has been relegated to a secondary role.

Increasingly prominent is the Islamic Revolutionary Guard Corps (IRGC). The corps was created during the revolution and enhanced its status through combat in the Iran-Iraq War; consequently, its members have close bonds among themselves. In Iran, they call them farmendehane-moji, which means they have post-traumatic disorders, a label worn as a badge of honor. They have achieved unity of command and control and are considered to be superior to (or essentially in control of) Iran's national military forces. And they are dedicated to clerical rule. Since 1997, they have had growing influence on foreign policy, strategic thinking, and the economy. This "Praetorian Guard," as one participant notes, "has been a cornerstone of the conservatives' survival and comeback strategy since 1997," and has been substantially rewarded by Khamenei. The IRGC has a strong presence on the Supreme Council for National Security. With the election of Ahmadinejad, the Revolutionary Guard has ascended new heights of power, with a number of key posts going to its members, essentially intensifying the militarization of Iran's politics.

Two other institutions exert influence. The 12-member Guardian Council vets the election process and oversees parliamentary legislation, making sure articles conform to the constitution and to Islamic law. Half of it is appointed by the Leader (six clerics), while the other half is chosen by parliament (six lawyers). The Guardian Council is the institution most obviously dedicated to Islamic practice within the government (alongside elements of the judiciary). Importantly, 72 percent of the bills passed in the 6th ("reform") Majlis were thrown out by the Guardian Council, evincing the varying degrees of Islamic orientation in the government. Disputes between the Majlis and the Guardian Council are mediated by the so-called Expediency Council, which primarily is a constitutional advisor to the Supreme Leader, and is mainly appointed by him. The Expediency Council has in recent

years, as part of the conservative consolidation, injected itself more forcefully in governing, at times earning protests from the Majlis. The Guardian Council and the Expediency Council can be viewed as constraints on the popular impulses of the Majlis, but their role in security matters is questionable.

The governing institutions altogether exhibit a certain overlap, or redundancy, or duality, which results in part from the rewritten constitution of 1988-89 and partly because some segments, notably the IRGC, have become increasingly and successfully assertive. The duality of the system, however, may continue to be troublesome even beyond the reform years of Khatami, when the reform Majlis was openly in conflict with the Expediency Council and the Guardian Council. For there are two competing views of legitimacy—that which flows from the Quran and the Supreme Leader, and his many appointments in the governing structure, and that which flows from popular sovereignty, the electorate. 32 The conservative consolidation forged by the election of Ahmadinejad, itself widely regarded as possibly a result of intimidation and ballot fraud engineered by the IRGC and its volunteer force, the Basij, was a further demonstration of the conflict between these two forms of legitimacy (and a decisive rebuff to the structural reform tendencies of the expected winner, Rafsanjani). With this consolidation, however, comes the responsibility for performance in a way that was fragmented under Khatami. "The revolution displaced the existing power elite," one workshop participant notes, but "it soon substituted a different entrenched group in its place. The new Islamic elite soon amassed unprecedented wealth, failed to share it systematically with the underclass, and tolerated ever growing official and clerical corruption . . . Several important urban riots among the urban poor and squatters, and the injured and handicapped veterans of the Iran-Iraq war, are harsh reminders that redistributive justice has not arrived." (Note that Iran ranked 99th in the world in the U.N.'s 2005 Human Development Report, a striking result for a leading oil producer.) If the conservatives' consolidation does not now improve upon this economy, all matters of legitimacy including those stemming from security policy—will be nettlesome.

The Nuclear Issue

The confrontation created by Iran's nuclear development program, which pre-dates the Islamic Revolution, can be viewed in several different ways: as Iran's rebuff to a world community that seems

³² Mehran Kamrava and Houchang Hassan-Yari, "Suspended Equilibrium in Iran's Political System," *The Muslim World*. 94 (October 2004): 495-524; and Mehrangiz Kar, "The Deadlock in Iran: Constitutional Constraints," *Journal of Democracy*. 14:1 (January 2003): 132-136.

dominated by U.S. interests; as a direct challenge to American power and interventions in the region; as a hedge against Israeli nuclear weapons; as a relatively innocent though assertive initiative to develop nuclear power; as a straightforward attempt, while couched in ambiguity, to achieve new strategic leverage. While the long period of hidden activities (uranium conversion and enrichment) has been the most troublesome part of its nuclear history and apparent intentions, Iran has generally remained within its rights under international law, giving rise to the notion that the West is engaged in a double standard, or what one scholar calls "nuclear orientalism." 33 What is certain is that the decisions to proceed ambiguously with nuclear energy development are having significant costs—European governments and the International Atomic Energy Agency, in addition to the Bush administration, are pressing hard on Tehran for full transparency and compliance with all provisions of the Nuclear Non-Proliferation Treaty (NPT).

If compliance appears to be incomplete, or fitful, then Iran could be subject to economic sanctions and political isolation; it is even conceivable that the United States would take military action to disrupt the nuclear fuel cycle (though in the midst of the war in Iraq, overt action seems improbable³⁴). Altogether, Iran's nuclear ambitions come with a price. With such stakes, it is useful to ask who is making the decisions and why, and what this reveals about issues of governance in Iran.

One participant categorized the nuclear decision apparatus in five points:

There are roughly eleven institutions that are directly or indirectly involved in the decision-making process and have potential, positively or negatively, input in the process.

Each and every one of these institutions has distinct internalized threat perceptions based on which it would engage in a war of persuasion and struggle for access to shape the policy, even if not directly responsible for the issue at hand.

The weight and impact of each bureaucracy varies depending on the saliency of the issue and the particular context of domestic infighting among factions at any given time.

³³ Hugh Gusterson, People of the Bomb: Portraits of America's Nuclear Complex. (Minneapolis: University of Minnesota Press, 2004).

³⁴ Seymour Hersh has sources saying that covert action may already be underway in Iran. See "The Coming Wars: What the Pentagon can now do in Secret," *The New Yorker* (January 24 and 31, 2005); one workshop participant suggests that the U.S. may now be covertly stirring ethnic divisions to destabilize the regime, and, indeed, there were reports during the summer of 2005 of ethnic clashes.

Bureaucratic politics is indeed at work as institutions fight to get the maximum access to the most critical player, the supreme leader. Based on the particular threat perception of the institution, coalitionbuilding and jockeying for power to affect the outcome is often tough and genuine.

Vested interests of different actors, especially the new ones, have complicated the process. (A good case in point is the scientific community, about which nothing is known.)

Without doubt, the pivotal decision-making body is the Supreme Council for National Security. The nuclear program is, as in other countries with actual or budding nuclear capability, encouraged by the technical experts working on the program, as noted above, but decision making does not appear to be captured by this scientific elite. The Atomic Energy Organization of Iran (AEOI), the official nuclear-development body, needed to assure political leaders that Iran had the technical competence to move forward, and it has, over many years, played the leading role publicly and internationally in all nuclear matters.35 Its chairmen have been prominent spokespersons, diplomats, and advocates. But the enabling decisions were made in the political system, and most likely within the SCNS, and the AEOI does not have a place at that table. But because the SCNS itself is an institution reflecting the system's general propensity to multiple jurisdictions, parallel roles, empowered social networks, and the like, the locus of decision making is nonetheless difficult to find. Structural factors and the capacity to exercise power are pivotal, but interests and ideology are equally central.

The ideology and attendant interests of nuclear development vary within a range of conventional national security-interest rationales. Some elements throughout the regime see the United States and Iran as principal antagonists globally, and believe that nuclear weapons would equalize this rivalry. The wars in Iraq and Afghanistan fuel this perception, and provide reasons aplenty for more sober realists to suspect U.S. intentions and seek a balancing weapons capability. To one degree or another, not easily discernable, these camps could opt for the appearance of nuclear capability to achieve their hopes for countering U.S. power, rather than actual weapons. Possibly the most clear-minded of the major players are the Revolutionary Guard, who appear to be openly favoring the development of nuclear weapons. The IRGC leadership draws on its horrifying experience with Iraqi chemical weapons in the 1980-88 war to justify the acquisition of

³⁵ See the exceptionally helpful chronology on Iran's nuclear development produced by the Center for Nonproliferation Studies at the Monterey Institute of International Studies, for the Nuclear Threat Initiative,

http://www.nti.org/e_research/profiles/lran/1825_1826.html.

WMD capability; international legal constraints are secondary or wholly dismissed in this view. The reformists, including Khatami during his presidency, also appear to support a nuclear option but are more reserved about intentions or claims to rights to development, and noticeably keener to deal diplomatically with global opprobrium. Government leaders routinely disavowed nuclear-weapons intentions during and before the Khatami tenure. No group in any corner of the regime, past or present, has failed to endorse civil nuclear development, and the rights and obligations under the NPT are readily cited. All players are beholden to national pride and assertions of prerogative in nuclear development. Unlike India, which often accused the nuclear powers of hypocrisy for their lack of seriousness about disarmament—which is obligated by Article VI of the NPT—official Iran consistently denies nuclear weapons ambitions while fiercely asserting its right to possess a nuclear fuel cycle dedicated to electric power production.

Interests, then, vary with respect to the fervor of intentions beyond simple endorsement of development of a nuclear fuel cycle in which Iran could become self-sufficiently able to complete a robust nuclear power industry. The variations do center on the capacity to build nuclear weapons, the fundamental reasons for pursuing that option (including the variety of threat perceptions), and the willingness to accept the penalties of the international community and especially the United States. (Material interests are more difficult to sort out and seem less compelling in any case.) But interests can take unexpected forms. The Revolutionary Guard, according to one participant,

does not favor strengthening Iran's regular military forces, which are likely to challenge the corps' current status. IRGC would like to empower Iran, and strengthen its defenses and ability to exert power regionally, but without strengthening the Iranian military. This can only be achieved by nuclear weapons, which will give Iran deterrence and influence, but will not require further investment in regular military forces.

Interests are to some degree reflected in the public discourse. Successive governments have woven a public narrative, which while nationalistic has nonetheless been detailed and mindful of public perceptions formed by outside sources of information. Perhaps the authorities realize that they cannot counter outside narratives without adequately addressing their points. To this end, the regime publishes interviews with scientists and spokespeople in both conservative and reformist newspapers. The nuclear program is presented as exhibiting sacrifice and ingenuity to the conservatives, while the more liberal

press receives a message of nationalism, as well as a story of genuine engagement and disagreement with the Europeans. In both sectors, the issue stimulates discussion, and that discussion further perpetuates the need for transparency from the government. The situation has forced the government to portray its pursuit of negotiations as a formal decision rather than an informal, discretionary move made behind closed doors. As one workshop participant notes, "as a means to placate criticism from the right [over negotiations with the Europeans], the government has had to portray its decision to pursue negotiation with the European troika as the decisions of the 'whole system." The formalized decision making is also necessary to present a clear and consolidated position to the Europeans. Because nuclear decisions are formally the responsibility of the SCNS, Iran's informal powerbrokers seem to be less influential.

This measure of public transparency has perhaps driven Iran's negotiating position to be more rigid—though not as rigid as is often portrayed in the West. Nationalistic sentiment makes it difficult for the state to make concessions, as political leaders have continually reassured the people that nuclear capability will be advanced. In one sense, then, the nuclear issue has engaged the public, ensured governmental accountability to popular opinion, and formalized the decision-making apparatus. As noted, however, that apparatus remains cloaked, multidimensional within its principal organ (SCNS) and in that body's relationship to other governing institutions, notably the Expediency Council, the Guardian Council, and the Majlis.

Nuclear Politics and Regime Legitimacy

The output legitimacy of the new conservative consolidation in Iran remains to be tested, and the nuclear issue could be the first highprofile test. (Economic performance is likely to be as important, but may take longer to determine.) The conservative consolidation does not end internal disagreements and politicking—Ahmadinejad's difficulties appointing a cabinet illustrate such bickering—but it does present a unified front of sorts in that there is little pretence to liberal reform in any of Iran's several governing institutions. While this has some benefits for stability, it also sets up a legitimacy crisis for the clerically dominated regime, because responsibility for decisions and their consequences are now clarified.

As numerous observers point out, a gripping irony of the legitimacy issue is that the more resistant to Western pressure the regime is, the more its domestic position strengthens. How well it could weather direct military attacks, covert action to spur ethnic minorities, or new economic sanctions is difficult to predict, but the

evidence suggests a very stable state that could relish the outside challenge if not too disabling.

One can view problems of legitimacy and stability in a longer form, not merely a set of forces unleashed quickly and decisively to bring down or transform a political structure. The chronic underperformance of the economy, the discontent wrought by social restrictions, the capricious administration of justice, and the setbacks dealt to democratic development all take a toll over time. If Iran is additionally isolated politically and economically because of a nuclear-weapons program, or, more to the point, if the decisions regarding nuclear weapons come to be seen as illicitly derived by competing elites and the public, this all could rebound with harsh effects on the system, no matter how flexibly multilayered, insulated by religion, or nationalistic.

The forces that set in motion the militarization of politics in Iran, and those who appear to be the beneficiaries of that trajectory—the Revolutionary Guard—are at opposite ends of the spectrum internally and internationally. Beyond the obvious irony, the intensification of IRGC control and the ascendancy of not only its interests but its ideology may ultimately weaken the regime's stability and legitimacy even as it strengthens it for the time being. Essentially military regimes, particularly where output legitimacy is weak and international opprobrium is strong, and where the public has a taste of popular sovereignty, are at risk. Iran is trending in that direction.

Afterword

Two topics deserve brief attention. While this project was not intended to engage U.S. policy in the region as a primary point of inquiry, the topic inevitably arose and a few words about it are in order. Second, what do the three different cases tell us about the prospects for legitimacy and stability in these Gulf states?

What is striking about U.S. policy, actions, attitudes, and plans for the Gulf over the period since the Second World War is how tone deaf American presidents and their policy cohorts have been. One can and should expect U.S. policy leaders to pursue American security and economic interests in the region. But those interests have been pursued without sufficient knowledge of players, aspirations, interests, ideologies, social organization, and so on. Rote actions of the Cold War were thoughtlessly applied to the Gulf—such as the destruction of the democratic left in Iran, which depleted political pluralism and left only the clergy as a node of viable political discourse outside the shah's regime; or the balance-of-power machinations that lavished support on Saddam Hussein in the Iran-Iraq war of 1980-88. Similarly, the need for petroleum has forced American leaders to avert their eyes from Saudi Arabia's problems, a pattern visible in the many places where commerce trumps values.

While this is unremarkable in many respects, it is striking how consistent and durable these patterns are. Many analysts will say that 9/11 has altered just about everything in international relations, but the Gulf is a rebuff to that cliché in some important ways. The attacks of 9/11 were a consequence of U.S. policy in the Gulf and the broader region, however perversely violent Osama bin Laden's revenge was, and post-9/11 policy has followed the contours of early U.S. ideology and action: not a hint of lowering petroleum dependency; unyielding belligerence toward Iran; accommodation of the Saudi royal family; and demonizing of Saddam, when useful, to the point of regime change, itself an old American habit. Apart from the primary goal of maintaining access to oil, itself a dubious achievement, the policies have failed to achieve peace, stability, and democratic values.

U.S. policy has had a strong hand in shaping the questions of legitimacy and stability as well. Saddam's legitimacy in Iraq, and globally, was partially sustained by President Reagan overtures, \$5 billion in credits, intelligence during the war with Iran, and technology transfers. The shah's legitimacy was almost entirely an American construct. The long petroleum and security relationship with the

House of Saud is similarly accommodationist and American-made. Withdrawal of American support and regime change (in two of the three countries), sanctions (in two of the three countries), and war (twice against one country, and support against a second) have disrupted politics, created deep insecurities, bolstered repressive measures, and wreaked untold economic and human hardships. This harshly stated list of errors is emphasized because American political discourse rarely acknowledges them, as if this history were nonexistent or irrelevant and the shock of Khomeini or the Iraqi insurgency came like bolts from the hand of Zeus, rather than as predictable consequences of past actions, poor assumptions, and misplaced norms.

The three countries themselves have much to answer for, of course, and while the U.S. actions over these last 50 years are immensely important, so too were an absence of will to democratize, to stabilize relations internally and regionally, and to develop sustained capacities for broad economic and social welfare. Legitimacy in all three states is tenuous in part because of their leaders' inability or sheer refusal to earn broad popular consent through distributive justice and peace. For three so well-endowed with oil, rich histories, and central places in the world, this incapacity to secure legitimacy is remarkable and tragic. There is little reason to suppose this incapacity will be reversed anytime soon.

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