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THE IRAQI POLITICAL SYSTEM: 1920-1958

by

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INTRODUCTION

Problem stated

Transitional societies are experimenting with various methods and doctrines for their national development. At least until the last decade the new nations copied Western political institutions and procedures--for example; parliament, parties, election--in their infertile lands. But later these nations and the recent emerging nations have had to reverse the process of development. That is to say that political participation will not necessarily lead to economic development; the problem of transition is the problem of economic and social development and these Western institutions are a barrier to national development.

It is apparant that most of these nations are uncertain of the methods and doctrines for national development because nation-building is a new phenomena for them; their political heritage has not provided them with methods applicable to transition and the experience of the Western countries has no vitality for them because they need to shorten the process of development.

The failure to define a doctrine for national development may not be realized before independence. The leaders believe that the process of national development will come automatically when colonial domination is removed. But with independence the leaders begin to realize how difficult it is to solve the national problems, most of which are beyond their comprehension and beyond the resources available in their society.

The problem of transition in Iraq as understood by the politicians of the Monarch regime (1920-1958) was the need of introducing Western political institutions. While a Western constitution was ratified and a parliamentary system was accepted, the old social institutions--tribes, religious communities--remained untouched. For the forty years of that regime the prospect of national development faded. The people remained out of touch with the national politics and the social basis of political power remained the same as before the establishment of the national government. Thus, the prospect of national development vanished, though an economic reform began in the early Fifties, and belief in the effectiveness of a parliamentary system to bring change diminished.

The scope and purpose of the study

The purpose of this study, then, is to examine the prospect of political development in transitional societies in relation to the economic and social development. To what extent do the traditional institutions handicap the political participation of the citizens? For the analysis of such transition, the Iraqi political system from 1920 to 1958 is selected as a case study to test the formulated hypothesis.

The working hypothesis

The hypothesis is this:

Widespread political participation can be brought about only when social and economic reform takes place. The rate of change depends on the pattern of political leadership which can identify itself with the policy of change and on the establishment of an efficient bureaucracy, capable of carrying out the function of social transformation.

In putting this hypothesis to the test with the experience of Iraq, we shall see that since the early years of the modern Iraqi political system, the modern elite to whom the political power gravitated did not set a goal for eliminating the old social institution in spite

of adopting a new Western pattern of political institution. The traditionalists exerting great influence in the political process were the shaikhs, who had gained power and prestige when the elite in power, whose vested interests interlocked with those of the traditionalists, had set themselves apart from ambitions to accelerate the modernization of the country.

While there was substantial increase in education, industrialization and urbanization, political development in the country never went hand in hand with the process of modernization. Political parties were either suspended or banned, and freedom of expression was suppressed. Also, the country was frequently ruled by martial law and parliament, becoming increasingly more subservient to the executive, was filled with traditionalists.

The spreading gap between the new modern-minded people and the elite in power eliminated any compromise, which is an essential element in politics. Thus, ingredients for revolution were at hand.

The literature in the field of the study

During the last decade the tools of research and the concepts which seemed to work well in Western context have been re-examined by some students of comparative politics

in an analysis of the non-Western political systems.¹

The condition which renders the politics of transitional societies a distinct category for analysis is the rapid social change on every level of these societies. The old way of life that persisted for centuries has undergone extensive change as a result of the exposure of these societies to the ideas and the ways of the West.

From this change evolved a new political pattern and relationship which affected the entire political life of these communities.² Cleavage resulting from this change culminated in a critical mistrust of the legitimacy of the political system.³ Traditional societies, before they dwindled, enjoyed the loyalty of most of their members. Under the influence of Western culture, the traditional culture and system of beliefs has been destroyed and the earlier basis of political consensus has been devastated.

Because of the disintegration of these societies,

¹Roy Macridis, The Study of Comparative Government (New York: Random House, 1954).

²George McT. Kahin, Guy J. Pankner, and Lucian W. Pye, "Comparative Politics of Non-Western Countries", The American Political Science Review, Vol. XLIX, No. 4 (December, 1955).

³Seymour M. Lipset, "Some Social Requisites of Democracy: Economic Development and Political Legitimacy", The American Political Science Review, LIII, No. 1 (March 1959), 69-105.

there is no unified degree of integration in the actions of the participants. Political activities which are still carried out by traditional rulers bear little relation to the political activities at the national level. Because the masses neither comprehend the policy of the national government nor participate in the political process, they resist the rules of the national government.

The other feature of the politics of transitional societies is the absence of a stable division of the political functions of the political actors. There is generally a high degree of "substitutability" of roles.⁴ Thus, the army elite may emerge to govern the country and a bureaucracy may take over the function of parliament.

Finally, there is mixing of political structures; the traditional system may continue to operate within the modern system. Thus, parliament in these societies falls under the influence of traditionalists--tribal chieftains, religious leaders--whose own traditional norms prevail over the legal norms and regulations which are set for operating parliament.

Bearing in mind these distinctive characteristics of

⁴Gabriel A. Almond, "Comparative Political Systems", The Journal of Politics, XVIII, No. 3 (August, 1956), 491-509.

the political process of transitional societies, some students of the Middle East have begun to theorize the politics of this region. The theory of Daniel Lerner about the modernization of transitional societies is a leading work in this direction.⁵ His study shows that variables such as urbanization, literacy, media participation and political participation, which are correlated with each other, are the bases of judging the participant society. Furthermore, Lerner holds that modernization leads to the creation of the contemporary participant society--modern industrial society.

In singling out the studies on the separate countries of the Middle East, one finds that Iraq, on the whole, has been less fortunate in attracting scholars to examine her politics. Besides the books written by the British ex-officers who had served in Iraq with British troops, only two major books are worth mentioning here. Both Majid Khadduri's Independent Iraq (London, 1960) and Stephen Longrigg's Iraq

⁵Daniel Lerner, The Passing of Traditional Society: Modernizing the Middle East (Glencoe, Illinois: The Free Press, 1958). For a systematic study of the Middle East see also Dankwart A. Rustow, Politics and Westernization in the Near East, Center of International Studies, Princeton University (Princeton Monograph Series, 1956), and his work "Politics in the Middle East", in Gabriel Almond and James Coleman (eds.), The Politics of the Developing Areas (Princeton University Press, 1960); Leonard Binder, Iran: Political Development in a Changing Society, (University of California Press, 1962), especially Part I.

(London, 1953) successfully recorded the political history of the country. But their failure to link political, economic, and social systems with one another was a defect in the understanding of the political change in Iraq's society. Thus, it is hoped that this study will fill some of the gaps left by all those who have dealt with the politics of the Middle East in general and of Iraq in particular.

Methods of inquiry and collecting data

The main difficulty facing the student of Iraqi politics is the scarcity of materials covering the period from 1920 to 1958.⁶ The available materials in this country are scattered among many libraries and universities. Thus, in conducting the research for this study I have used extensively the services of many libraries. Supplementary materials have been furnished from Iraq, but these were hardly sufficient. Thus, the lack of information for this study, whether in the United States or in Iraq, has placed a heavy limitation on an extensive study.

Nevertheless, the study has relied heavily on original data and information: official press releases, laws, statis-

⁶For a bibliography of some of the literature on Iraq, see George Grassmuck, "Selected Materials on Iraq and Jordan: The Development of Political Documentation", The American Political Science Review, Vol. LI, No. 4 (December, 1957), pp. 1067-1080.

tics, and statements. The two books of Abdul-Razzak al-Hassani (both published in Arabic), History of the Iraqi Cabinets, (10 vols., Lebanon, 1953-1960), and Political History of Modern Iraq (3 vols., Lebanon, 1948), have rendered a particular service to this study.⁷ They contain many valuable documents concerning the politics of the monarchy political system, source material which is no longer available even in Iraq today.

Books and articles have been consulted as secondary sources and used when original documents were lacking.

The use of Arabic materials and terms

Most of the materials consulted for the purpose of this study originated in the Arabic language. In order to distinguish them from the English sources, their Arabic titles are referred to, followed by their English translation. But when the same source is referred to a second time, its English title only is used.

Quotations borrowed from the Arabic materials were translated by myself, unless otherwise indicated, and I alone bear the responsibility for their translation.

⁷For many years Mr. al-Hassani served in the Iraqi Cabinet Secretariat and has seen much of the country's politics and administration, thus he was able to record its political events in his twenty-two books.

Arabic terms and words are frequently used in this study. The English counterpart of an Arabic word is placed in parentheses when it is used for the first time. Later, only the Arabic is used and underlined. The exception to this usage is with Arabic words which are commonly used in the English language such as shaikh, fallah, and so forth.

Analytical table of contents

This study is divided into eight chapters and the conclusion. The first chapter provides a general description of the social structure of the society--the basic features and the culture of the society. Then it deals with the social and ethnical groups whose interactions had an impact on the work of the political system. Also, a brief discussion is devoted to the nature and power of the traditional social organization.

Chapter II concentrates on the constitutional development, the nature of the Constitution, and how the social groups were able to find expression in the Constitution for their own vested interests.

In Chapter III, we study how political power was established around the palace and the roles the occupants of the throne played in making the palace a center of political power.

Chapter IV depicts the cabinet's power and how the constitutional arrangements made it the strongest political organ. Through this political body the ruling elite and the king were able to monopolize the political power.

In Chapter V, the focus of study is on the characteristics of the ruling elite--their occupations, education, and their exposure to the Western world. This chapter shows how this group of elite was expanded by incorporating the traditional, sectarian, and ethnical elite. Also in this chapter the attempt is made to single out the most influential members of the elite by studying their circulation in the cabinets.

Chapter VI portrays the meaning of political representation in Iraq. An attempt is made to review the political events after the Second World War to show how the ruling elite excluded the opposition political groups and parties from the political process. Meantime, the elite extended representation in parliament to the shaikhs, upon whom they could rely.

In Chapter VII the bureaucracy is examined to show how it was handicapped by its irrational behavior from playing a definitive role in the social transformation of the society. It was controlled by the ruling elite to implement their interests.

Chapter VIII is an appraisal of the economic development and its political consequences.

The Conclusion re-examines the working hypothesis in light of the previous analysis.

Finally, the Appendixes at the end of the study supply the reader with some educational, political, and social data.

CHAPTER I

THE SOCIAL STRUCTURE

Iraq's society is termed as traditional or pre-industrial, but it contains a substantial admixture of the characteristics of a modern society.¹ A brief examination of the basic features of this society is needed to show the impact of social structure on the work of the whole political system.

The Basic Features of the Society

We are mainly concerned here with an examination of the features of Iraq's society, in which the monarchical political system had existed.²

As a traditional society it was characterized by a

¹This has been called by Boeke "social dualism" which he defines as "the clashing of an imported social system with an indigenous social system of another style. Most frequently the imported social system is high capitalism." J. H. Boeke, Economics and Economic Policy of Dual Societies (New York: Institute of Pacific Relations, 1953), p. 4.

²Iraq's society after 1958 may not differ from its predecessor, but, without a doubt, the conventional bases of politics have been drastically changed: the preponderant role of the army officers and the declining role of the shaikhs.

lack of invention and innovation and little knowledge of technical science.³ Customary rules and traditions were followed without reason by men dedicated to the belief that each event in their lives was determined by God's will.

Face-to-face relationships were extremely common. An individual's status in the society depended upon the status of his family, tribe, religion, and position. Loyalty to these immediate groups or sub-systems was the obligation of the individual. Family values and professions had to be preserved from one generation to another.

The dominant economic activity was agriculture. The bulk of the land was owned by a relatively small number of landlords, and was worked by peasants in a feudal relationship to these landlords. This economic relationship resulted in "the dominance of a two-class system, with the upper group enjoying prerogatives of political power and usually also religious prestige and the lower consisting predominantly

³For a study of traditional society, see Max Weber, The Theory of Social and Economic Organization, tran. by A. M. Henderson and Talcott Parsons (New York: Oxford University Press, 1947); Talcott Parsons, Structure and Process in Modern Societies (Glencoe, Illinois: The Free Press, 1960); Max F. Millikan and Donald L. M. Blackmer, The Emerging Nations: Their Growth and United States Policy (Boston: Little, Brown and Co., 1961). For a study of the Middle Eastern society, see Carleton S. Coon, Caravan: The Story of the Middle East (New York: Henry Holt & Co., 1951).

of peasants and petty traders."⁴

Religion provided men with spiritual satisfaction and with a way of life. For a better understanding of politics and social power in Iraq, it is of great importance to study the land tenure system and the traditional culture.

The land tenure system

The original settled tribes in Iraq were pastoral nomads. They began to settle in the early part of the sixteenth century because they found cultivation economically more profitable than pasturing. After the villages in the North were settled, semi-communal forms of ownership were practiced there, while the tribes in the South exercised customary rights of ownership over a large area called diarah in which all tribesmen cultivated the land and shared the crops together.⁵ This right was called lazma.

It was assumed that lazma was in the name of the tribe, but in a later stage, "the tribal lazma," Ernest Dawson, who was assigned by the Iraqi government to study the land tenure system in early 1930, stated, "was weakened and that

⁴Parsons, op. cit., p. 117.

⁵For the origin of feudalism in the Arab world, see A. H. Poliak, Feudalism in Egypt, Syria, Palestine and the Lebanon, 1250-1900 (London: Luzac, 1939).

of a corresponding prescriptive claim of an individual or smaller group to have been to some extent substituted."⁶ This change came at a time when the function of the shaikh in the Iraqi society had already altered. Up to the nineteenth century the shaikh's function was to protect his tribe from other tribes and from governmental authority. Later on, when steamship navigation was introduced in Iraq, and markets for Iraqi grain opened, the shaikh, finding it profitable to change his status from protector to landlord, became the owner of the diarah as well as its manager and agent.⁷

No attempt was made to regulate these customary rights of land until 1858 when the Ottoman authority embarked on a policy of settlement of tribes. In that year and the following year, two important laws were enacted which governed the tenure of land in the Ottoman Territories. They were the Ottoman Land Code and the Land Registration (Tapu) Code. But the two codes were never actually applied to Iraq, particularly in the South where they met with resistance

⁶Ernest Dawson, An Inquiry into Land Tenure and Related Questions, A Report for the Iraqi Government (Letchworth, England: The Garden City Press, 1931), p. 26.

⁷Doreen Warriner, Land Reform and Development in the Middle East: A Study of Egypt, Syria and Iraq (New York: Oxford University Press, 1957), p. 136.

from the tribal shaikhs.⁸ In the North the situation differed. The villagers, who misunderstood the purpose of registering the land, feared that the registration might be preliminary to military service. They registered their land in the name of the head of the tribe, a member of the family who could not be liable for military service, or a city notable.⁹

In reality four main forms of land tenure existed in Iraq.¹⁰

1. Mulk--A land held in full ownership and governed by the Sacred Law and not by those in the civil statute law.

Mulk land was not widespread in Iraq.

2. Waqf--This was originally private ownership but had been dedicated to charitable and religious purposes and was administered by the Awqaf Department.

3. Matruk--This was land devoted to use for public benefit--schools, hospitals, and so forth.

4. Miri--A land owned by the state which might be

⁸Dawson attributed the failure of implementing the two laws to two reasons: first, the absence of administrative experience which the technical staff needed; and second, the rigid classification of land was premature for a primitive society. Op. cit., p. 18.

⁹Warriner, op. cit., p. 69.

¹⁰For the land tenure system in Iraq, see ibid., pp. 135-157.

sold or rented to individuals. According to the Islamic Law, the state claimed ownership of all land except that which had been assigned in mulk or waqf tenure to individuals. Miri land was classified into three types: tapu, lazma, and miri sirf. The first type was land sold by the state to individuals who were then given the right to transfer the deed of the land and even to put a mortgage on it.

Selling the land, then registering it as tapu, was first practiced by Medhat Pasha, Wali of Baghdad, who started to sell it to the actual landholders in 1870. This policy was aimed at achieving two purposes--political and fiscal. The political purpose was to establish a strong central administration over a large number of small cultivators, and the fiscal purpose was to override the difficulty of collecting taxes on the cultivated land. But this policy failed to achieve its mission. Because the land was sold at auction to the highest bidder, actual cultivators were unable to buy the land they had already cultivated. Merchants came from the cities and, being able to pay the higher price, bought large lots of land.¹¹

The second type of miri, the lazma, the right of occupation and cultivation (haq al-sukna wal zira'), was

¹¹Abdul-Razzak al-Dhahir, al-Ikta'a wal-Diwan fil Irak [Feudalism and Administration in Iraq] (Cairo: al-Sa'ada Press, 1946), p. 18.

created in 1932 by the Law of Granting Land on Lazma Tenure. It gave the rights of using the land, as of the tapu rights, to those who claimed the right of cultivating the land for the last fifteen years.

With the establishment of the national government, the bulk of the land was in lazma and the state was, by law, the largest landholder,¹² "but in reality the land was used by powerful shaikhs,"¹³ who claimed ownership and demanded the settlement of their prescriptive rights obtained by means of the installment of pumps on the banks of the rivers. On the other hand, the members of the tribes, as owners of the land, also claimed their prescriptive rights to grazing and cultivation.

Some of these disputes, at least until 1932, had to be decided upon in accordance with the Tribal Civil and Criminal Disputes Law, and most of the time they were settled on the side of the shaikh because "personal influence . . . is commonly the decisive factor at any moment in any given land dispute, anyone may find the most convincing claims set

¹²In 1950 it was found that sixty-five per cent of the non-desert area surveyed was state owned. United Nations, Department of Economic Affairs, Summary of Recent Economic Development in the Middle East (New York, 1952), p. 62.

¹³Warriner, op. cit., p. 136.

aside."¹⁴ The passing of the Land Settlement Law of 1932, however, did not change the picture because it overlooked the communal forms of cultivation and communal rights over land while it gave legal recognition to individual ownership --shaikh's ownership--and consolidated the property of the large landlords.¹⁵

The third type of miri was called miri sirf, a land actually in the possession of shaikhs or other landlords who, in fact, enjoyed undisputed rights of possession of land as yet unsettled. The cultivators paid a light rent on the holding of the land. Some of these lands were sold, as authorized by the Law for Sale of Miri Sirf Land 1940, to large landholders, especially in the flow irrigated region.¹⁶

The traditional culture

For almost thirteen centuries Islam was the faith of

¹⁴Dawson, op. cit., p. 27.

¹⁵Hashim Jawad comments on the Law: "It did not solve the problem [of land settlement] but rather it recognized large estates in the name of the shaikhs and some other people. . . . The result of implementing the Law was the establishment of large estates in the names of shaikhs and some other people whose only distinction was their ability to disturb public order." Mukadamah fi Kiyam al-Irak al-Ijtima'i [Introduction to the Social Structure of Iraq] (Baghdad: al-M'arif Press, 1946), p. 48.

¹⁶For a discussion of the Law and its effectiveness in increasing the landholding of the shaikhs, see Warriner, op. cit., p. 147f.

most Iraqis. The doctrine of Islam set up the principle that church and state are one and indivisible.¹⁷ Thus, both temporal and spiritual powers were placed in the hands of the caliph or sultan, who was elected by the Muslims, but they were not responsible to the electorals because both rulers and ruled were bound by the Divine Law and were responsible to Allah alone. As a religion, Islam emphasizes compulsory performance of legal and religious duties and unquestioning obedience. The concept of a supreme God is embodied in the Arabic word Allah. God exists from all eternity to all eternity. Being "Creator and Sustainer of the Universe," he alone is the arbiter of good and evil, and final judge of all men.

The Islamic community is the community of Allah and is immune to any foreign encroachment. The obligation placed on all Muslims is to "strive in the Way of God" against any encroachment on the Islamic community.¹⁸

¹⁷For a study of Islam, see Muhammad Asad, The Principles of State and Government in Islam (Berkeley: University of California, 1961); Hamilton A. R. Gibb, Modern Trends in Islam (Chicago: University of Chicago Press, 1947); also by the same author, Mohammedanism, An Historical Survey (New York: The New American Library, 1955); D. B. Macdonald, Development of the Muslim Theology and Constitutional Theory (London: Oxford University Press, 1903).

¹⁸This duty is formulated in the Koran: "Fight in the Way of God against those who fight against you, but do not commit aggression. . . . Slay them whosoever ye find

Shari'a is the religious and legal doctrine of the Islamic community. It is not a product of human intelligence or of adaptation to changing social needs and ideals but of divine inspiration and, hence, immutable. The basic sources of Shari'a are the Koran and the Tradition of the Prophet--the practice and actions of Mohammed--which are both infal-
libile.

In a later stage of the development of the Islamic community, the class of the ulama (the learned or the doctors) was established.

Given the sanctity of Koran and Tradition and the necessity of a class of persons professionally occupied with their interpretation the emergence of the Ulama was a natural and inevitable development, though the influence of the older religious communities may have assisted the rapid establishment of their social and religious authority.¹⁹

As the years passed the authority of the ulama became more firmly established; the ulama claimed "to represent the community in all matters relating to faith and law, more particularly against the authority of the State."²⁰

them, and expel them from whence they have expelled you, for sedition is more grievous than slaying. . . . Fight against them until sedition is no more and allegiance is rendered to God alone; but if they make an end, then no aggression save against the evildoers." Koran, Sura ii, vv. 186 Sq.

¹⁹Gibb, Mohammedanism, p. 77.

²⁰Ibid.

They established the principle of ijma' (the concensus of the community) which became another tenet of the Shari'a and binding on the community. But ulama influence on the affairs of the community declined when the caliphs in the fourth decade after the Hijra became more concerned with temporal power. At this time church and state were, in practice, disjoined.

In the early nineteenth century, the Islamic community was confronted with a serious challenge resulting from the economic and political expansion of Western Europe. The Muslims being unable to ignore these forces, a movement to reform Islam was initiated by Jamal al-din al-Afghani (1839-97) and Mohammed Abduh (1849-1905).

On the other hand, a movement of secularization had sprung up aimed at separating church and state and adopting a Western pattern of political institution.

The Iraqi young men who studied in Istanbul were the first generation exposed to the Western ideas and, hence, the first to think of secularizing their old society. However, with the establishment of the Iraqi government the principle of separating church from state has never been understood by the Iraqis; they have continued to regard religion as an inseparable part from the new political institution.

The Social Groups

Among the social groups there were striking differences in the ways of their life and outlook; and their influence on the political system was varied according to their social ability to participate in the political life of the country.

The shaikhs

The most influential social group was a small number of shaikhs who owned the bulk of the land. In most cases the shaikh was the chief of the tribe, which was engaged in cultivating the land for him.

Under Ottoman rule the shaikhs did not enjoy a strong and prestigious position in the society, for the government distrusted them and crushed their power. But the shaikhs' position was enhanced by the mandatory power whose primary interest was maintaining public order with the least possible expenditure. To this end, the mandatory power recognized to the shaikhs a paramount place in the political system. Shaikhs became responsible for law and order in their tribes. They decided disputes among their tribesmen and collected taxes for the government. The shaikhs' position was also strengthened by economic means because they had a "legal

recognition of their doubtful claims to their land."²¹

The emergence of the new political system in Iraq failed to reduce the social power of the shaikhs. Such failure was inevitable since the new political system was in a condition of relative military weakness, while the shaikhs and the tribesmen were in a better position and were equipped with modern arms. In 1932 King Faisal I estimated the strength of the the tribes and attributed 100,000 rifles to them, while the government owned only 15,000 rifles.²²

Under such conditions the national government recognized the already existing relationship between the fallah and his landlord. The Law Governing the Rights and Duties of Cultivators No. 28 of 1933 did not only attempt to recognize the relationship between the fallah and his landlord; it clearly demonstrated that government policy was to perpet-

²¹Sa'id B. Himadeh, "Social Awakening and Economic Development in the Middle East," in Walter Z. Laqueur (ed.), The Middle East in Transition (New York: Frederick A. Praeger, 1958), p. 54.

²²From Faisal's Memorandum which was published in Abdul-Razzak al-Hassani, Tarikh al-Irak al-Siyasi al-Hadith [Modern Political History of Iraq] (Seda, Lebanon: al-Irfan Press, 1948), I, 5-11, hereafter cited as al-Hassani, Modern History. The Memorandum was republished in Abdul-Rahman al-Bazzaz, Muhdharat 'an al-Irak min al-Ihtilal hata al-Istiqlal [Lectures on Iraq from the Occupation until the Independence] (Cairo: For the Institute of the Higher Arabic Studies of the Arab League, 1954), pp. 117-126.

uate the already existing semi-feudal system.²³ Article 5 of the Law authorized the farm owner--the shaikh--to conclude a contract with the fallah, setting forth the duties developing upon the two parties and fixing their customary shares in which the fallah never received a just share.

Under this Law, the fallah had to stay on the land as long as he was in debt to his shaikh and when he intended to leave the land he had to obtain a certificate from his landlord stating that he had no debts. Neither a government agency nor any individual could employ a farmer without first ascertaining that he was free from any debt to another landlord by whom he may have been directly employed.²⁴ Bearing in mind that the greater number of fallahin lived on an extreme margin of subsistence and that they were in constant need for loans to pay for their necessities, one realizes that it was impossible for them to be free from any debt. The seriousness of the fallah's indebtedness was felt by the British government as is shown in its Special Report submitted to the League of Nations in 1932:

²³For text of the Law, see Iraqi Government Gazette, No. 31, July 30, 1933.

²⁴Articles 12-16.

One of the most important questions affecting the fallah is his indebtedness. There are few fallahs in Iraq who are not in debt. The origin of the indebtedness lay in the fact that when the fallah was first engaged he had to have something to live on until the harvest. When the harvest was divided he was supposed to pay back what he had borrowed, but sometimes he was unable to do so owing to failure of the crops and sometimes he deferred payment with the consent of the farmer. This indebtedness has increased greatly in the pump areas, . . . It must be admitted that his indebtedness does not greatly worry the fallah because he does not yet realize that his debts may one day bind him to the land of his creditor master. The problems which arise from these circumstances make the definition of the landowners' rights over cultivators who are indebted to them one of the most important agricultural problems of the future.²⁵

The shaikhs' influence on the political system can be appreciated by considering the vast estates they owned. Table 1 shows the distribution of ownership in an area totaling above thirty-two million misharas.²⁶ More than half of this land was owned by 2,480 individuals while 250 thousand individuals owned the other half. Large properties--50,000 misharas and over--were concentrated in six liwas--Hilla, Kut, Muntafiq (Nassiyria), Diwaniya, and Arbil. Together with the concentration of large properties in these liwas, the large portion of the land was held by only a few landlords. For example, in 1944 the total area of landholdings

²⁵Great Britain, Special Report on Iraq, 1920-31, A report submitted to the League of Nations (London: His Majesty's Stationery Office, 1931), p. 240.

²⁶One mishara equals 0.62 acres.

TABLE 1

DISTRIBUTION OF LANDHOLDINGS BY SIZE
(1958)

Size by Misharas		Number of Landlords	Size of Total Landholdings
under 4		73,110	102,321
4 and under	20	70,906	654,156
20 " "	100	70,502	3,316,188
100 " "	600	32,465	6,307,799
600 " "	1,000	1,959	1,483,644
1,000 " "	2,000	1,832	2,560,190
2,000 " "	4,000	1,293	3,583,931
4,000 " "	10,000	835	4,966,391
10,000 " "	20,000	224	3,030,773
20,000 " "	50,000	95	2,998,607
50,000 " "	100,000	25	1,725,988
100,000 and over		8	1,424,825
Total		253,254	32,154,813

Source: Iraq, Ministry of Economics, Takrir al-Ihsa' al-Zira'i wal Haiyawni fil Irak li Senat 1958-1959 [Report on Agriculture and Livestock Census of Iraq, 1958-1959], Vol. I, Table 2, p. 7.

of Amara was 3,647,792 misharas owned by 181 landlords; and only three shaikhs and the sons of four others held 1,824,841 misharas or fifty-three per cent of the total land. Ten other shaikhs together held 689,561 misharas or nineteen per cent of the total.²⁷

Doreen Warriner gave an account of large properties which differs from those in Table 1. In her study of 1955 she showed that two shaikhs, Emir Rabia of Kut Liwa and Mohan el-Khair Allah of the Muntifiq Liwa, each owned in excess of one million misharas. Six other shaikhs each owned more than half a million misharas.²⁸ -

Moreover, the strength of the shaikhs came from the social organization of their estates, which were governed and directed without government interference.

The shaikh's mukata'ah (estate) was organized in such a way that:

1. The shaikh was at the apex. His importance and function was described by Longrigg as such:

Although the Shaikh exercises tribal authority and tends among his tenants to be lawgiver, arbitrator, magistrate and tax-collector, he is also an independent and sometimes absolute capitalist, being . . . not only the land-

²⁷John Batatu, "The Shaikh and the Peasant in Iraq, 1917-1958" (unpublished Ph.D.'s dissertation, Government Department, Harvard University, 1960), Table 18, p. 145.

²⁸Warriner, op. cit., p. 142.

lord but also the market and supplier of capital.²⁹

2. The shaikh had armed police called h'ushiyyah whose function was to guard the shaikh, execute his will, supervise his peasants, and protect his properties. They were his tyrannical instruments in the mukata'ah. Some large mukata'ahs were very well equipped and comprised a large number of tribesmen. The ex-mutasarrif (governor) of Amara Liwa, Sa'ad Salih, pointed out in his Report to the Ministry of the Interior in 1944 that the h'ushiyyah of Shaikh Muhammad al-Irabi numbered 552 men and that his tribesmen numbered a little over 5,000.³⁰ If this data is generalized, it would be correct to state that "the ratio seems to have been in the big mukata'ahs, one member of the h'ushiyyah for each ten men."³¹

3. The third influential person in the mukata'ah was al-faridah al-arifah, a religious man and the judge of the tribe in personal matters. The importance of that man was to legitimize the shaikh's action in terms of religion.

4. The syrkal was in charge of the cultivation of the land and the supervision of the fallahin. In the last

²⁹Stephen H. Longrigg and Frank Stoakes, Iraq (New York: Frederick A. Praeger, 1958), p. 184.

³⁰Quoted in Batatu, op. cit., p. 41.

³¹Ibid.

two decades the role of the syrkal has increased as a result of the absence of the shaikh from his estate and his residence in the city. Consequently, the syrkal's share in the crops increased.

The ulama

The ulama constituted another group which was traditional in its way of life and outlook. Seeing the crisis caused by the decline of Islam in the modern world, the ulama rejected the movement of modernization and the introduction of Western institutions to the society. While the movement to reform Islam was accepted by many of the Sunni ulama, it was never accepted by the Shi'a ulama, who campaigned to establish an Islamic state when Iraq began to detach herself from the Ottoman Empire.

The Shi'a ulama were able to play a far more important role than their counterpart--the Sunna ulama, partly because of the greater authority which the Shi'a doctrine confirmed to them in theological and legal matters and partly because of their rigid hierarchical organization.

The doctrine of Shi'aism, which began as a political movement among the Arabs, aimed at the support of Ali, the son-in-law of the Prophet, in his strive to become the first Caliph after the death of Muhammad. This movement gradually

created for itself a doctrinal basis.³² For the Shi'a, the Cilapht of Islam was transmitted from Muhammad to Ali and from Ali to his heir, the imam. The latter is considered not only a political and religious leader of the community but also a spiritual leader believed to be the exclusive authority in the interpretation of the Koran.³³ But in the absence of the imam, the leading theologian, called mujtahid, exercises extensive authority in religious and legal matters. He is believed to be the divine leader until the imam appears and rules the Islamic community again. He holds a loose authority over the lower ulama.

The authoritarian aspect of the doctrine enabled these ulama to exert a great influence on the political activities of the newly established political system in Iraq. They agitated against both the British mandate and the Sunni political authority because their ambition "to establish their authority as final in temporal as well as in spiritual affairs"³⁴ did not materialize.

The role of both the Shi'a and Sunna ulama in the

³²Gibb, op. cit., p. 96.

³³Ibid., pp. 96-97.

³⁴Great Britain, Report to the Council of the League of Nations on the Administration of Iraq, 1923-24 (London: His Majesty's Stationery Office, 1924), p. 7

political and social life of the community declined sharply in more recent decades, but they continued to exert social influence in the affairs of small towns and cities. Their social status and prestige remained high, and the higher ulama enjoyed much respect from nearly all classes, except the modern-minded people.

The bedouins

This group inhabited three desert zones in which they migrated from one place to another in search of pasture for their flocks. They were a source of unrest to the central government because of their raiding of towns and villages in search for sustenance. Their economy was based on the breeding and raising of animals, notably camel, but sheep, goats, and horses as well. Although they were very primitive in their outlook and living, they looked with disdain upon other ways of life, particularly that of the cultivators in better watered districts. They had profound contempt for these people whom they considered subservient.³⁵

³⁵For description of bedouin life and cultural traits, see Maki al-Jamil, al-Badow wa al-Qabai'l al-Rahalah fil Irak [The Bedouins and Wandering Tribes in Iraq] (Baghdad: al-Ra'bitah Press, 1956); Henry Field, The Anthropology of Iraq (2 vols.; Field Museum of Natural History, Anthropological Series, Vol. 30, Part I; 1940-1949); Afif Tannous, The Arab Tribal Community in a Nationalist State, Middle East Journal, I, (January, 1947), 5-17.

They were organized in tribes and placed the life of the community in the hands of one chosen man whose office became hereditary. The shaikh was a powerful man, responsible for the affairs of the tribe. He was also arbitrator and magistrate. The individuality of the bedouins was sacrificed for the sake of their patriarchal community which had "kept their ways of life largely unaltered through many centuries!"³⁶

Professor Lerner describes the world of the bedouins as the following:

The mark of the Bedouin is his complete absorption into tribal life. The tribe and its parts--sub-tribe, section, family--are the primary objects of personal loyalty. Tribal affiliation is the source of safety, and conversely, expulsion from the tribe for some grievous offence is the greatest sentence. Law and morality are also defined in tribal terms, for only a rare central government could effectively mete out social sanctions among the nomads.³⁷

The primitive way the bedouins lived was contrary to the requirements for a modern political system. Economically speaking, their simple life and poor diet led to a very low rate of consumption of the national product. Also their habit of raiding settled agricultural areas in dry years was a constant threat to agricultural development and irrigation schemes. Their free movement among the neighboring countries

³⁶W. B. Fisher, The Middle East: A Physical, Social and Regional Geography (3rd ed.; London: Methuen Co., 1956), p. 114.

³⁷Lerner, op. cit., p. 318.

--Saudi Arabia, Jordan, and Syria--caused difficulty in the control of smuggling and taxation.

Politically speaking, their heavy reliance upon their shaikhs and their tribal organization affected the efficiency of the entire political system. They were not able to see themselves subordinated to a larger political organization-- a national political system. Their free passage from one country to another made it difficult for them to accept membership in the Iraqi political system.

The national government, following the Ottoman policy of settling tribes in the cultivable areas, gave constant thought to the bedouin problem.³⁸ A large number of tribes were settled and started cultivating the land. While the portion of unsettled tribes in Iraq was eight per cent in 1930, it dropped sharply in 1957 to not more than one per cent of the total population.³⁹

The great incentive for the permanent settlement of the bedouins was provided by the deterioration of their economy, particularly after World War II, partly because the

³⁸The General-Directorate of Tribes took the responsibility of providing studies for settling the tribes.

³⁹Dawson estimated the number of bedouins at 234,000 in 1930. Op. cit., p. 11. The census of 1957 showed that only 68,538 bedouins remained unsettled. Iraq, Statistical Abstract, 1957, Table 3, p. 5.

central government authority was augmented to protect the agricultural areas from bedouin raids and partly because the improvement of the communications system and the introduction of motor vehicles (which became the prime carriers in Iraq) had undermined the market for animal products-- the basis of nomadic economy.

Although the policy of settlement was successful in achieving its mission, it failed to bring the tribesmen into close contact with the national political system. On the contrary, the policy followed gave "a material incentive to perpetuation of tribal organization."⁴⁰

The fallahin

The rural population of Iraq comprised eighty per cent of the total population of 1930. The gradual growth of cities and towns resulted in a decrease in the rural population, although they still comprised the majority--66.3 per cent and 62.7 per cent in 1947 and 1957 respectively.

Although per capita income and agricultural production were increased, the fallah income remained unchanged.⁴¹

In the South it was reported that for each fallah family of

⁴⁰Doris Goodrich Adams, Iraq's People and Resources (Berkeley: University of California Press, 1958), p. 18.

⁴¹Indication of Trends in Agriculture in Iraq, 1934-8

five persons an area averaging thirty donums (twenty acres) was cultivated, sufficient to support the whole family,⁴² but with the share-cropping system--the division of the crop between the landlords and the cultivators in fixed proportion--the fallah's portion of the crop was only enough to keep him and his family on an extreme margin of subsistence.

In the North the share of crops for the landlord was fifty per cent. The system in the South differed; the portion of the crop taken by the shaikh varied with the type of cultivation. On flow-irrigated land it was three-fifths, and two-thirds if the landlord provided the seeds. On pump-irrigated land the landlord took five-sevenths, and even then the remainder was not paid entirely to the fallah for the syrcal took one-sixth of the crop from him.⁴³ However, it was estimated that the total fallah family income might be

and 1950-4.

	Average 1934-38		Average 1950-54	
	Prod.*	Area**	Prod.*	Area**
Wheat	478	661	691	1,086
Barley	575	743	948	992
Rice	205	152	180	137

*Production (000 Metric Tons)

**Area (000 Hectares)

Source: Adopted from Warriner, op. cit., Tables 11 and 12, pp. 117-118.

⁴²Ibid., p. 137.

⁴³Jawad, op. cit., p. 51.

valued at \$100 to \$150, or approximately \$20 to \$30 per capita.⁴⁴

There is another rural population called the ma'dan (the marsh dwellers), who lived in the southern part of Iraq in the most isolated swamp areas and other unhealthy environments.⁴⁵ They subsisted on fishing, hunting, and the breeding of buffalos, none of which had commercial value since they were isolated from the centers of commerce. These products would have been valuable only if the ma'dan had known how to preserve them.

The Iraqi fallah, whether in the North or in the South, had the common unhealthy conditions described by a former visiting professor at the University of Baghdad, Dr. Michel Critchly:

It is not exaggerated to state, that the average agricultural worker [fallah] is a living pathological specimen, as he is probably a victim of anbylostomiasis, ascariasis, malaria, belharzia, trachoma, bejel, and possibly of tuberculosis, also,⁴⁶

The world of the fallah was his small village where he lived and worked nearby. The village supplied the cities

⁴⁴Adams, op. cit., p. 92.

⁴⁵For descriptive and cultural traits of the ma'dan, see Field, op. cit., pp. 386-406. See also Wilfred Thesiger, "The Ma'dan or Marsh Dwellers of Southern Iraq," Royal Central Asian Journal, XLI (January, 1954), 4-25.

⁴⁶Quoted in Warriner, op. cit., p. 119.

with food and received nothing in return. Most of the villages were isolated by geographical distance and lack of communication so that all products of one district tended to find their way to a single local market.

The fallahin living in one village shared the same race, religion, and language, and they belonged to one tribal organization. An exception to this was the date gardens on the bank of Shaet al-Arab in Basra where the fallahin belonged to a mixed community and tribal ties had become entirely extinguished.

As the village institutions had not changed very much for centuries, fallahin existed in a "depressed state for countless centuries."⁴⁷ They thought the same way about the same things as they always had.

The pattern of village life, manifested in a quiet and routine existence, had exerted a strong influence upon the fallah's thought. His view toward his government was described as the following:

The relationship between the villager and the government is typical of the attitude toward what the peasant considers to be authoritarian intrusions on his peaceful way of life. His association with the state is practically limited to taxation, assessment, conscription, or forced labor. Hence the villager regards the government

⁴⁷Douglas D. Crary, "The Villager," in Sydney N. Fisher (ed.), Social Forces in the Middle East (Ithaca: Cornell University Press, 1955), p. 48.

with resentment and fear; his reactions to its representatives are inspired by self-preservation.⁴⁸

The Iraqi village was small, containing about forty households.⁴⁹ Various limitations have been imposed on its growth:

The fertility of the surrounding agricultural land and the amount of water available set initial limits on its size. Another limiting factor is that the fields must not be farther than a few hours' walk from the village, or they will be uneconomical to farm and impossible to protect against animals and thieves. Finally, there is a political factor: the government of the village is based upon personal relations administered by the ruling elders. If the village has grown beyond a certain size, contests for leadership develop: one faction may establish a new village, or a formal municipal government may develop. In the latter case the village may become a town.⁵⁰

During the past two decades the fallahin began to draw away from their countrysides to the cities. An official report based on the census of 1957 shows that about 330,000 people have moved from the interior to the headquarter cities and towns of the fourteen liwas.⁵¹ The emigration of fallahin resulted from two major factors: first, poverty and the tyrannical shaikh institutions became unbearable; and second, the increase in urban activities which attracted many fallahin

⁴⁸Ibid., p. 54.

⁴⁹There were 9,984 villages in 1958.

⁵⁰Adams, op. cit., p. 20.

⁵¹Batatu, op. cit., pp. 158-159.

and offered them better employment opportunities.

Moreover, the villages themselves began to break their insular ties and the fallahin learned for the first time about the world outside their immediate environs, thus expanding their sense of life's possibilities. The improvement of communications linking the villages to many towns extended their horizons. Radios in coffee shops in villages attracted many fallahin to listen and to learn about the world outside their village. The rank and file of both the army and the police forces were filled with the fallahin. It followed that those who served with these forces had changed their outlook after seeing the life in cities and towns. In addition, the modern educational system was extended to the villages, and thousands of the young generation evinced their dissatisfaction with the old way of life.

The craftsmen and the urban workers

In the late 1920's craftsmen composed three per cent of the whole population and this jumped to four per cent during the Second World War.⁵² This increase was attributed to the fact that Iraq was cut off from imports of manufactured goods and hence faced the need to rely on her own products.

⁵²Jawad, op. cit., p. 67.

After the War the crafts declined in the face of competition from cheaper, mass-produced foreign imports and from the products of large scale mechanized industry at home. Consequently many craft industries were forced to close down and many craftsmen to seek other employment.

The industrialization of the country accelerated both the conversion of many crafts such as spinning and weaving and the absorption of unemployed laborers into this industry.

The contribution of the craft industry to the modern industry of the country was observed by an Iraqi social scientist who pointed out:

The craft trade has contributed to the industrialization of the country by indicating the variety of goods needed by the people and the capacity of local markets which modern industry might be able to fill with definite success and guaranteed profits. Moreover, those who wanted to establish modern industry were able to know which of the craft trades were most suitable for conversion to mechanized industry.⁵³

The lack of unity in the working class could not possibly be conceived. The skilled laborers were drawn from urban areas and the unskilled were drawn mainly from among village migrants. The traditional rivalry between the rural and urban population persisted among the workers. The other factor attributed to the weakness of the class was its small size and the small portion of it employed in large industries.

⁵³Ibid.

The industrial census of 1954, surveying all the industrial establishments in Iraq, showed that 90,291 workers were employed in 22,460 industrial establishments, of which 22,106 employed less than twenty persons.⁵⁴ The remaining 294 industries employed 132 persons on the average.⁵⁵

Since the majority of workers was employed in small industries, a change in their behavior and their mobilization was not expected. Small industries were still operated in pre-mechanical ways, and the small number of employees did not promote class solidarity and organization. Another contribution to the perpetuation of traditional attitudes among the workers was the survival of traditional hiring practices which reinforced ties of kinship rather than of class solidarity.⁵⁶

The income of the workers was very low, although it was better than the income of the fallah. In Baghdad, where the wages were higher, the average recompense for unskilled labor in 1953 was 200-250 fils and 500-1200 fils for skilled

⁵⁴Iraq, Report on the Industrial Census in Iraq, 1954, Table I, p. 9. The census excluded the oil industry and its supplementary industries from the survey.

⁵⁵Ibid., p. 6.

⁵⁶Manfred Halpern, The Politics of Social Change in the Middle East and North Africa (Princeton: Princeton University Press, 1963), p. 110.

labor.⁵⁷ The poverty of this class became ground for extreme movements, especially Communism.

The government attitude toward the workers' right to organize and form trade unions was one of suspicion and distrust. The government claimed that extreme ideologies were being propagated among union members by some "irresponsible politicians" to achieve personal advantages. It was declared the duty of the government "to protect the movement and the unionists from the influences of such groups and from political struggle."⁵⁸ But in reality the workers very rarely enjoyed a fair practice of labor-management relations or the right of organization although they regarded this right as essential and had made it one of their major demands in every strike.

The middle class⁵⁹

Traditional society is characterized by the absence

⁵⁷From a Report by the International Labor Office, (Confidential) Report to the Government on the Development of a Social Security System, pp. 12-13 (Geneva 1954), as quoted in Batatu, op. cit., p. 170.

⁵⁸Mahmud M. al-Habib, "The Labor Movement in Iraq," The Middle Eastern Affairs, VII (April, 1956), 138.

⁵⁹To Morroe Berger the middle class in the Middle East composes two groups: (1) those merchants and small manufacturers, self-employed, whose income and influence are not great enough to place them among the really powerful in

of any indigenous middle class large enough or strong enough to challenge the already existing political power relationship. The middle class can only be developed when the basic economy of the state has moved ahead to industrialization. In the early years of the Iraqi political system the size of the middle class was very small and limited to a very few educated individuals who served in the Turkish administration or in the army. The class of merchants was small and its activity limited to the practice of lending money to the farmers. The professional class--engineers, doctors, and so forth--did not yet exist. The greatest contribution the mandate power made, however, was the creation of an administrative system which included improvement in public security, means of transportation and communication, the taxation system, health conditions, and education. This new administrative machinery badly needed indigenous employees to fill these offices; yet Iraq lacked such a class.

As the years passed the size of this class was increased. Economic development gave impulse to the rise of a new class of small merchants and manufacturers. The spread

political and economic life; (2) a more mixed group, including independent professionals such as doctors and lawyers, employed managers, technicians, and administrative workers such as clerks and bureau chiefs, and the civil service. "The Middle Class in the Arab World," in Laqueur, op. cit., p. 63.

of education increased the number of secular intelligentsia,⁶⁰ whose dissatisfaction with the government's shortsighted solutions to national problems was indicative of the out-dated traditional system.

However, the middle class was still weak and could not challenge the power of the shaikhs. Its weakness stemmed largely from its economic position, the majority of its members being clerks who served in public or private offices or merchants or small retailers who employed few people outside the members of their own families.

The intelligentsia was the predominant force of this class and politically was the most active group in the society because of its knowledge and awareness of the social change that was in progress. But its economic weakness and the employment of its members in governmental offices did not encourage them to act in the interests of their class. On the contrary, they were no more than a "pliant instrument in

⁶⁰"They are an intelligentsia," the MIT Study Group stated, "because it is they who acquire and apply modern knowledge to the manifold tasks of running an urban, industrial, participant society effectively. They are [secular] because their public roles and social functions are independent of, and usually hostile to, the sacred symbols and institutions of the traditional society." "Economic, Social and Political Change in the Underdeveloped Countries and Its Implications for United States Policy," in United States Foreign Policy, reports submitted to the United States Senate Committee on Foreign Relations, (Washington, D. C.: Government Printing Office, 1960), p. 1215.

the hands of the real holders of political and economic power."⁶¹

National Unity and Minorities

The unity of a nation is not affected by the division of the society into different classes and groups. But what disintegrates a nation is the antagonism among these classes and the presence of minorities whose members refuse to subject themselves to the national political system. Iraq has a unique minority composition--religious, national, and sectarian⁶²--and none of these constitutes a majority.

It is agreed among students of political science that the absence of national and ethnical homogeneity constitutes a serious obstacle to the working of the political system because of the constant threat that the conflict among different groups may crystalize at the point where it disrupts social unity. In Iraq the presence of the large numbers of minorities always broke out in armed rivalries and threatened the existence of the political system.

The problem of minorities, moreover, was further

⁶¹Berger, in Laqueur, (ed.), op. cit., p. 65.

⁶²The best study on the minority problems is Albert H. Hourani's Minorities in the Arab World (London: Oxford University Press for the Royal Institute of International Affairs, 1947).

TABLE 2

ETHNIC AND RELIGIOUS GROUPS IN IRAQ 1945 - 1950

Religious and Ethnic Groups	Sect	Language	Approx. Number (000)	Per Cent Population
Muslim			4,450	95
Arab		Arabic	3,568	76
	Sunna ^a		1,400	30
	Shi'a ^b		2,100	45
Kurd	Sunna ^b	Kurdish	792	17
Turkoman	Sunna ^b	Turkish	50	1
Iranian	Shi'a ^c	Persian	40	1
Christian			190	4
Arab	Varied ^a	Neo-Syriac	178	4
		Arabic		
		Kurdish		
Armenian ^c		Armenian	12	.. ^d
		Arabic		
Jewish ^c		Arabic	15 ^e	.. ^d
Other ^f			20	.. ^d
Total			4,675	100

Source: Adams, op. cit., Table 4, p. 15.

Notes: ^aUrban and Agricultural.

^bAgricultural.

^cLargely urban,

^dLess than one per cent.

^e125,000 until 1948.

^fMostly Yazidis (called "Devil Worshippers") of Mosul Liwa and Mandaeans who specialize in metal work and boat building.

complicated by the fact that several national minorities had a predominantly tribal structure. Establishing order among them became impossible where resistance against the government was always imminent by an order of the chief of the tribe. The Kurds, who composed about one-fifth of the nation, revolted against the government not only because of the suppression of their entity but because of the personal differences between the government and their Aghas as well. Unlike his counterpart the Arabic shaikh, the Kurdish Agha exerted a strong influence on his subjects because he had associated religion with his status as chief of the tribe. Religious sentiment in the tribe was easily aroused on the Agha's call for resistance to the government.

The Iraqi government constantly failed to bring the members of the Kurdish minority to the subjection and loyalty of the whole national unity. In this respect Professor Khadduri points out:

The short-sightedness of the Iraqi government in handling the Kurdish affairs was reflected by their merely crushing such revolts by force, and punishing or bribing the leaders: thus the masses were left forever dissatisfied. Such handling of the situation obviously offered opportunities for adventurers to assume leadership of the malcontent Kurds, and thus the revolts often occurred.⁶³

On the other hand, religion in Iraq is a strong

⁶³Khadduri, op. cit., p. 61.

social force which has always claimed priority. The majority of the people are Muslims divided equally into two major sects. In spite of that, the government and the ruling elite was predominantly Arab-Sunni. The malcontent of the Shi'a caused negative participation in the political process and always led to a power struggle. Furthermore, religion and sectarianism had perpetuated the ancient loyalties at the expense of the larger national identification because each sect of the religious groups was reluctant to relinquish the privileges it enjoyed, and the tendency of each of these groups was to judge disputes among its members autonomously.

Indeed, the presence of minorities added another problem to the national government. The failure of the government to evolve a sound and suitable policy for integrating them into the national unity was a constant threat to the political system. Professor J. C. Hurewitz observed this problem in the Middle East as follows:

All of the Near Eastern countries . . . have sought to establish nation-states on the Western pattern. But nation-states have emerged in the West only where earlier local community or district localities have given way to a larger common allegiance. Such a condition has never existed in the Middle East. For this reason, a single community in each state has come to dominate the others . . . The state has, in the circumstances, become essentially the private agency of the privileged community. To its special interests the values and welfare of the minorities have been subordinated. The

minorities have had either to conform to the nationalism of the dominant community-and thereby lose their group entities-or acquiesce in the status of second-class citizens or emigrants.⁶⁴

The existence of great cleavages in the society-- division of the population into tribal and city dwellers on one hand and into religious, linguistic minorities on the other hand--raises a question of how real was the solidarity of the nation in Iraq. When it was so profoundly divided within itself, national identification never carried beyond tribal organizations, religious groups, or nationalities. All these had negated the requirements for establishing a nation-state.

⁶⁴J. C. Hurewitz, "The Minorities in the Political Process," in Fisher (ed.), op. cit., pp. 212-213.

CHAPTER II

THE IRAQI CONSTITUTION OF 1925

The Iraqi Constitution of 1925 was promulgated in an official ceremony in Baghdad on March 21st. Though the Iraqi elite believed that the road to constitutional government was to be a long and difficult way, they hoped that the "careful application" of the provisions of the Constitution would serve as a preparation for the practice of the art of a representative government.¹

In an attempt to assess the Constitution, one should not treat the constitutional document as prima-facie evidence but should go further to seek the underlying forces which played a decisive role in shaping the Constitution. Such a task first requires a historical investigation of the constitutional development.

Constitutional Development

The establishment of a constitutional government in

¹For text of the government announcement on March 25, 1925, see al-Hassani, Modern History, I, 198.

Iraq was the desire of both the British and the Iraqis. Whether in Britain or in Iraq, the agitation against the British policy in Iraq, manifested by the Iraqi Revolt of 1920, compelled the British government to believe that British interests could be better safeguarded at less expense if an indigenous government were set up under the supervision of Britain.

On the other hand, Iraqi sentiment towards establishing a democratic institution was very high. The rise of Western-educated elite in the Arab world in the last part of the nineteenth century "went hand in hand with enthusiastic faith in Western political institutions."² In 1908 the Iraqis rejoiced in the reinforcement of the Turkish Constitution, the added strength of which gave to all Arabs hope for co-operation with the Turks. As a result, the Ottoman Arab Fraternity Association was established; its main object being "to protect the Constitution."³

After World War I Iraqis were even more inspired by the prevailing ideas of democratic government because "democracy became the symbol of nationhood and independence"

²Rustow, in Almond and Coleman (eds.), op. cit., p. 420.

³George Antonius, The Arab Awakening (2d ed.; New York: G. P. Putnam's Sons, 1948), p. 102.

for those people under foreign domain.⁴

When the Iraqi Provisional Government declared the candidacy of Faisal for king of Iraq on July 11, 1921, it made clear that "His Highness' Government shall be a constitutional, representative, and democratic government limited by law."⁵ The Special Report of Britain to the League of Nations pointed out clearly:

From the first, the Ministers seem to have had no doubt as to what they wanted, nor indeed had any of the politically minded public of the country, who were unanimously in favor of a democratic constitutional government, . . . all wished to be ruled by an elected parliament on the most up-to-date model.

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It would have been astonishing if the Iraqi Provisional Council of States had endeavored to set up any other form of government, and it is certain that no alternative scheme could have been imposed on the country without the utmost difficulty.⁶

Constitutional government had been envisaged some time before the Iraqi national government was formed. Article 22 of the League Covenant stated with regard to the former Ottoman Territories placed under mandate that their existence as independent nations could be provisionally

⁴Karl Loewenstein, "The Value of Constitution in Our Revolutionary Age," in Constitutions and Constitutional Trends Since World War II, ed. Arnold Zurcher (2d ed.; New York: New York University Press, 1955), p. 197.

⁵al-Hassani, Modern History, I, 194.

⁶Great Britain, Special Report, p. 13.

recognized subject to the rendering of "administrative advice and assistance" by a mandatory power until such time as they were able to stand alone.

The original mandate draft for Iraq envisaged in its first article the need to "form within the shortest possible time . . . an Organic Law for Mesopotamia." But the whole draft mandate was never submitted to the council of the League; it was replaced by the Treaty of Alliance of 1922, which regulated the relationship between Great Britain as mandatory power and Iraq as a mandate territory.

Article III of the Treaty stipulated the main provisions of the Constitution:

His Majesty, the King of Iraq, agrees to frame an Organic Law for presentation to the Constituent Assembly of Iraq and to give effect to the said Law, which shall contain nothing contrary to the provisions of the present Treaty and shall take account of the rights, wishes, and interests of all the populations inhabiting Iraq. This Organic Law shall ensure to all complete freedom of conscience and free exercise of all forms of worship, subject only to the maintenance of public order and morals. It shall provide that no discrimination of any kind shall be made between the inhabitants of Iraq on the ground of race, religion, or language, and shall secure that the right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the Government of Iraq may impose, shall not be denied or impaired. It shall prescribe the constitutional procedure, whether legislative or executive, by which decisions will be taken on all matters of importance, including those involving questions of fiscal,

financial, and military policy.⁷

This Article laid down the "foundation not only of a Bill of Rights for Iraq, but also the fundamental principles governing its framework of government. For this reason Article III of the Treaty of 1922 was an important landmark in the constitutional history of Iraq."⁸

The Constitution was not "the product of a widespread indigenous popular movement," though it was, to a certain degree, "receptive to democratic ideas."⁹ Drafting the Constitution was the work of a small body of British officials and Iraqi statesmen who had to bear in mind that the Constitution had not only to regulate Iraqi political institutions, but also should contain nothing contrary to the provisions of the Treaty of 1922. Thus:

The Constitution tended to become not only an instrument of government but also an instrument of policy, safeguarding the Treaty and facilitating administration in accordance with obligations assumed by Great Britain as

⁷Great Britain and Iraq. Treaty of Alliance signed at Baghdad, 10 October 1922. Protocol of 10 October 1922 signed at Baghdad, 30 April 1923, together with Agreements of 16 October 1922, signed at Baghdad 25 March 1924. (Ratified 19 December 1924). Cmd. 2370 (London: His Majesty's Stationery Office, 1925).

⁸Khadduri, op. cit., p. 14f.

⁹Lawrence Lockhart, "The Constitutional Law of Persia," Middle East Journal, XIII, (August, 1959), 373.

a mandatory power.¹⁰

The drafting of the Constitution which commenced in 1921 passed through six distinct stages.¹¹ The project draft was drawn up upon the request of the Colonial Office in 1921. A committee was established composed of two British officials, in consultation with Mr. (later Sir) Nigel Davidson, the Legal Advisor to the High Commissioner. The committee drew up its draft from the Constitutions of New Zealand and Australia, partly because the members of the committee were more familiar with the political institutions in the Commonwealth Countries and partly because Britain intended to establish relations with Iraq similar to her relations with the Commonwealth Countries. Thus, the main provisions of the draft were that all legislation must first obtain the king's approval and that treaty matters should rest with the King-in-Council.¹²

¹⁰Philip W. Ireland, Iraq: A Study in Political Development (London: Jonathon Cape, 1937), p. 372.

¹¹The six stages of drafting the Constitution were:

- a. Project draft of 1921.
- b. Baghdad redraft, March 16, 1922.
- c. First Colonial Office revision, April 16, 1922.
- d. Baghdad redraft, February 15, 1923.
- e. Final Colonial Office revision, April 19, 1923.
- f. The Draft Law, September 20, 1923.

¹²The forthcoming discussion on the work of the com-

An Iraqi committee of three was formed to study the draft. It was composed of Naji al-Suwaydi, Minister of Justice; Sasun Hiskayl, Minister of Finance; and Rustam Hayder, an intimate friend and secretary to Faisal.¹³ This committee rejected most of the articles in the draft on the ground that they were undemocratic. It set to work on its own draft "which became the foundation of all subsequent drafts."¹⁴ The committee worked to reduce the power given to the king and made the cabinet responsible to parliament. Nevertheless it approved a suggestion made by the Judicial Advisor of the Ministry of Justice, in which the

mittees which were engaged in the drafting of the Constitution was drawn mainly from Ireland, op. cit., pp. 370-82; C. A. Hooper, The Constitutional Law of Iraq (Baghdad: Machanzi and Machanzi, 1928), Chapters I and II; and Naji al-Suwaydi's statement on drafting the Constitution in Mudhakarāt al-Majlis al-Ta'sisi [Proceedings of the Constituent Assembly] (Baghdad: Dar al-Salam Press, 1924), I, 451-54. Cited hereafter as Proc. Assembly.

¹³Naji al-Suwaydi, who died in 1947, was considered in Iraq a leading authority in the constitutional law. He graduated from the Law School in Istanbul, then served as professor in the Law School in Baghdad. His legal training and experience in constitutional law helped the committee as well as the Constituent Assembly to improve many articles in the Constitution.

Sasun Hiskayl, a prominent Jew, highly educated in Europe, was minister in many cabinets during the period from 1922-30.

Rustam Hayder, a Syrian intellectual with Turkish training in administration, came to Iraq with King Faisal in 1921 and played an important role in politics until his assassination in 1940.

¹⁴Ireland, op. cit., p. 375.

king was given power to deal with emergencies by issuing ordinances if parliament were not in session.¹⁵

The committee drew up the draft from the Turkish Constitution of 1878, which was reinforced after 1908.¹⁶ It was not surprising that the Turkish Constitution became a model for the Iraqi Constitution because most Iraqi politicians and statesmen had secured their political training in Turkey or under Turkish administration elsewhere. Also Iraq had already shared a brief constitutional period under Turkey from 1908 to 1914.

Both drafts were sent to the British Colonial Office, which requested the two committees to meet together and prepare one draft. Both the Iraqi ministers and the British officials worked on the redraft of February 15, 1923, which was sent to the Colonial Office. The Office supported the draft with some minor revisions and sent it back to Iraq on April 19, 1923. At this juncture, the Iraqi Council of State referred it to another special committee of high ranking officials in the Ministry of Justice, headed by the

¹⁵Ibid., p. 377.

¹⁶Although the committee did not consult the Egyptian Constitution of 1923, which came at hand after the draft was referred to the Council of State, the availability of this constitution in Arabic helped the representatives in the Constituent Assembly to familiarize themselves with the constitutional law.

Minister of Justice, Sayed Ahmed al-Fakhri, in consultation with Naji al-Suwaydi and Raof al-Chadarchi. After this group had made very minor revisions, the draft law was finally completed on September 20, 1923.

It was suggested that the Constitution should be passed by a national assembly; therefore, an Electoral Law was promulgated on May 2, 1922, and the Irada (will) was published ordering the election of the Constituent Assembly to begin on October 24, 1922. It took three cabinets to complete the election on February 25, 1927, because of general boycott of the election.¹⁷ Along the Euphrates the opposition to the Treaty of 1922 became menacing and all national groups were unified in one national front under the leadership of the Shi'a ulama, who issued a fatua boycotting the election.¹⁸ Meanwhile in the North, fear of the future

¹⁷The third Cabinet of al-Gaylani and the cabinet al-Sa'dun resigned in face of the strong opposition to the Treaty. The cabinet of al-Askari assumed responsibility on November 22, 1923, and was able to complete the election. Abdul-Razzak al-Hassani, Tarikh al-Wizarat al-Irakia [History of Iraqi Cabinets] 10 Vols.; (Seda, Lebanon: al-Irfan Press, 1933-1960), I, 62f. Cited hereafter as al-Hassani, Iraqi Cabinets.

¹⁸The fatua was signed by Mohammed al-Khalasi and Abu al-Hassan al-Asfahni and demanded:

- a. The lifting of martial law.
- b. Withdrawal of British advisors from all liwas.
- c. Patriation of all political assylums to Iraq.
- d. Restoration of the freedom of press and meetings.
- e. Permission to form political parties and associations.

Ibid.

inclusion of the region in the Turkish Empire had the same effect.¹⁹

In the face of this boycott, King Faisal had no choice save to beseech the shaikhs to participate in the election.²⁰ Out of ninety-nine seats in the Assembly, forty-one seats were assigned to the shaikhs.²¹ Hence "the assembly did not have fully represented Iraq sentiment,"²² not only because the opposition did not participate in the election but also because the government openly interfered in the election and suppressed the press and meetings and closed political parties.

The Constituent Assembly started its work on March 27, 1924. Before proceeding to discuss the Constitution, it spent two and a half months discussing the Treaty. The Assembly then debated the Constitution in seventeen sessions lasting less than a month, from June 14 to July 10, 1924.

The Assembly elected a special committee of fifteen

¹⁹See the statement of the High Commissioner to Iraq, Sir Henry Dobbs, in the League of Nations, Minutes of the Permanent Mandates Commission, Tenth Session (1926), p. 49.

²⁰al-Hassani, Iraqi Cabinets, I, 63.

²¹See Chapter VI.

²²Quincy Wright, "The Government of Iraq," American Political Science Review, XX (November, 1926), 747.

members to study the Constitution. Neither the time permitted nor the qualities of the members helped to modify the provisions of the Constitution.²³ It was known that the Assembly would not introduce any serious change to the original draft; on the contrary, its duty was to approve the "ready made" Constitution.²⁴

This glance at the historical development of the Constitution shows that it was born in a unique way.²⁵ It was created out of the need to establish a new arrangement between Britain and Iraq.

Political and Social Forces Influencing the Constitution

The Constitution was formulated as a compromise between the British interests and the interests of some social and political groups. One can say that the Constitution of Iraq was influenced by the British interests, the shaikhs, the religious groups, and the monarchic dynasty.

²³Seven shaikhs were seated in the committee. For the list of the members of the committee, see Proc. Assembly, I, 127.

²⁴Henry A. Foster, The Making of Modern Iraq (Norman: University of Oklahoma Press, 1935), p. 300.

²⁵Mustafa Kamil, Sharh al-Qanun al-Dusturi wal Qanun al-Assasi al-Iraqi [Commentary on the Constitutional Law and the Organic Iraqi Law] (Baghdad: al-Salam Press, 1948), II, 14.

The British interests

British interests in Iraq were established in the seventeenth century when protection for the British merchants in the East was needed.²⁶ The British Prime Minister in 1914 clearly justified the occupation of Iraq by saying:

The object of sending a force . . . to Mesopotamia was to secure the neutrality of the Arabs, to safeguard our interests in the Persian Gulf, to protect the oil field, and generally maintain our flag in the East.²⁷

The Treaty of 1922, which embodied the interests of the British, was the price the Iraqis paid for their constitution. Jafar al-Askari, Prime Minister at the time, told the opposition to the Treaty in the Constituent Assembly that without ratification of the Treaty there would be no constitution.²⁸

The approval of the Treaty by the Constituent Assembly was not enough without providing machinery in the Constitution "for securing the execution of the Treaty obligations."²⁹

²⁶For the history of British interests in Iraq, see Zaki Saleh, Mesopotamia (Iraq), 1600-1914: A Study in British Foreign Affairs (Baghdad: al-Ma'aref Press, 1957).

²⁷Quoted in Foster, op. cit., p. 80.

²⁸See Proc. Assembly, I, 339.

²⁹Nigel G. Davidson, "The Constitution of Iraq," Journal of Comparative Legislation and International Law, VII, Serial No. 3 (1925), 43.

The constitutional arrangement was made to allow the British influence to rest on the king and the cabinet. The king was given power to legislate while parliament was not in session. Such legislations were to be submitted to parliament when it met "except those which have been issued for the purpose of fulfilling obligations of the treaties which have been approved by the parliament or the Constituent Assembly."³⁰

It is interesting to note that Article 45 of the Constitution prohibited the chamber of deputies from proposing financial bills, but when the Constituent Assembly discussed that Article, it agreed to give the chamber of deputies such rights.³¹ Then the government pleaded with the Assembly to change its decision on this matter, but the Assembly refused to reconsider. As a compromise the Article was referred to the Constitutional Committee which suggested that the chamber of deputies should not initiate financial bills because such power would be "contrary to Article IV of the Treaty, which envisaged that the advice of the British government should be sought on financial matters and on the organization of sound finance,

³⁰Article 26 of the Constitution.

³¹Proc. Assembly, II, 715.

so long as that [Iraqi] government is under financial obligation to the government of His British Majesty."³²

The chamber of deputies was not allowed to make any decisions or propose amendments to any draft law "involving the reduction of expenditures arising out of the treaties approved by parliament, or the Constituent Assembly."³³ This was a safeguard to the Financial Agreement, which was imposed on Iraq to repay what Britain had spent in Iraq during the occupation and mandate periods. At the same time the Military Agreement was protected by giving the king emergency power to deal with districts where public order was disturbed.³⁴

Articles 114 and 115 considered "all proclamations, regulations and laws" issued by the British government since the occupation valid, and these could not be repealed except by law. The oil concessions were signed by the government before promulgating the Constitution, and Article 94 became inapplicable.³⁶ The Legal Secretary to the High Commissioner

³²Ibid., II, 1007-8.

³³Article 106.

³⁴Davidson, op. cit., pp. 51-52.

³⁵Article 94 stipulated: "No monopoly or concession shall be granted for dealing with or using any of the natural resources of the land, or for any public service, nor shall the state revenues be distributed, except in accordance

in Iraq pointed out in his report to the High Commissioner:

It was essential that acts of previous regimes should not be called into question and that such measures as the forthcoming oil concessions should not be submitted to Parliament.³⁶

Therefore the oil concession was "considered a law passed by the legislation,"³⁷ and only parliament could repeal it.

The shaikhs

Under the Turkish regime the shaikhs never participated in the elections. They took part for the first time in the election of 1924. They were guaranteed some privileges in the Electoral Law of 1922; a minority representation of twenty was allowed to the tribes.³⁸ However, the Law did not prevent the right of individual tribal cultivators who wished to register as voters with the urban population. The shaikhs registered their tribesmen with the urban population.³⁹ Thus they were represented by forty-one delegates in the

with law, provided that, where the period relating to them exceeds three years, they must in each case be the subject of a special law.

³⁶Quoted in Ireland, op. cit., p. 375.

³⁷Hussain Jamil, al-Irak al-Jadied [The New Iraq] (Beirut: Dar Munimana, 1958), p. 33.

³⁸Great Britain, Report . . . 1923-24, p. 10.

³⁹Ibid.

Assembly.

The shaikhs representing their tribal communities gathered in Baghdad on March 24, 1924, before the opening of the Assembly. They took an oath "to support the treaty and not to take any action without common consent."⁴⁰ They also insisted on introducing clauses into the Constitution which provided for "full and even more extensive use of the Regulations of the Tribal Deputies and for the non-alienation of government lands cultivated by themselves."⁴¹

The shaikhs in the Constituent Assembly were led by Salem al-Khaiyun of the Muntifiq and Raiyih al-Atyih of Diwaniya. They threatened that they would not ratify the Treaty unless the Constitution granted more privileges. They asked for the establishment of special courts to deal with tribal disputes "in accordance with tribal customs," and the recognition of the tribal system itself.⁴² They maintained that the leadership of the tribes was hereditary and "the government was obliged to strengthen the shaikhs in order to render obedience from the tribes."⁴³ Again the

⁴⁰(Sect.) The Intelligence Report No. 7 of April 3, 1924, Para. 229. Quoted in Batatu, op. cit., p. 63.

⁴¹Ibid.

⁴²See Raiyih al-Atyih's statement in Proc. Assembly, II, 907.

⁴³Ibid.

same shaikh went on to say:

The Constitution must protect the interests of all the segments of the nation. But I do not see any provisions for the protection or the recognition of leases on government lands which have been held by the Shaikhs . . . I want to see such provisions, then all tribes will be secured.⁴⁴

The Assembly succumbed to the influence of the shaikhs and voted against a clause suggested by the Constitutional Committee, stating that a deputy of parliament should be literate. The Assembly rejected the request on the ground that it "would be a hindrance to the election of shaikhs to the majlis [chamber of deputies]."⁴⁵

The Assembly also added a clause to Article 28, Paragraph 6, which allowed the lessees of government land to be elected to the majlis; such a right was prohibited in the original draft of the Article. The Rapporteur of the Constitutional Committee justified the decision by saying: "The majority of the nation's elite are owners of villages and farms . . . if we exclude them from the majlis, the nation will lose many competent leaders."⁴⁶

⁴⁴Ibid., II, 1046. In replying to this request the Prime Minister promised that these interests would be protected by a special law which would be submitted to parliament when the latter convened. Ibid., II, 1047.

⁴⁵Ibid., II, 796.

⁴⁶Ibid., I, p. 606.

The monarchy dynasty

The monarchy system of government was established long before the Constitution was drafted. With British help, Faisal was nominated King of Iraq. The British came to the decision that Faisal "was the only one possible candidate with whom to negotiate a treaty."⁴⁷ Winston Churchill, himself, then Minister of Colonies, believed "that if Faisal was installed in Iraq, the British government would acquire control over him and his father"⁴⁸ in Hijaz.

The British overruled every possibility of electing another person to the Throne of Iraq. They did not even encourage any idea of a republican form of government. On the contrary, they suppressed the activities of all politicians who supported a republican form of government. In the early part of 1924 Tawfiq al-Khalidi, Minister of the Interior, was assassinated by pro-monarchy elements.⁴⁹ As a result the Constitution was drawn up to confirm the existing monarchy system and to put the king under British influence

⁴⁷Ireland, op. cit., p. 314.

⁴⁸Ibid., p. 315.

⁴⁹al-Hassani, Modern History, I, 157. He mentions that some British officials who were working with the Provisional Government were in favor of a republican form of government because they believed that only a republican government would be able to restore public order in the country.

since he was a friend with no desire to oppose British policy.

King Faisal himself participated in and directed the work of drafting the Constitution. On the occasion of his inauguration on August 23, 1921, King Faisal I said in his enthronement speech: "My first task will be to proceed with the elections and the convocation of the Constituent Assembly. This nation should understand that it is this Congress that will, in consultation with me, draw up the Constitution."⁵⁰ Although the Iraqi committee charged with drafting the Constitution worked to reduce the powers given to the king in the Project Draft of 1921, he still maintained strong power.

His power was shown in calling and dismissing the cabinet and in appointing the senators. "In this way," C. A. Hooper pointed out, "it is almost impossible for a Prime Minister to act without being influenced to some extent by the wishes of the King; and the Senate must also similarly be influenced by the King's personality."⁵¹

⁵⁰Ireland, op. cit., pp. 336-37; al-Hassani, Modern History, I, pp. 178-80.

⁵¹Hooper, op. cit., p. 63. Also George Kirk, A Short History of the Middle East: From the Rise of Islam to Modern Times (6th ed.; New York: Frederick A. Praeger, 1960), p. 176.

The religious groups

The detachment of Iraq from the Ottoman Empire was not in any way a secular movement. On the contrary, nationalists and religious groups criticized the Ottoman Empire because the rulers were not following the Islamic way of life. This belief was expressed in the Constitution, in particular Article 13, which stipulated that "Islam is the official religion of the State."

Here we are concerned with those religious groups which pressed for their interests to be represented in the Constitution. The Shi'a sect found many representatives in the Assembly who defended its right to be recognized as a sect of Islam in the new state. The Constitution gave the Shi'a the right to practice the rites of their sect as had been observed in the past. Article 77 provided the establishment of the Shi'a and Sunni courts, justice to be administered between parties "in accordance with the terms of their sect." The qadhi (religious judge) should be "a member of the sect to which the majority of the inhabitants of the place to which he is appointed belong."

The recognition of the Shi'a as a sect of Islam came after the rise of the Shi'a inhabitants to break the rules of discrimination which were imposed on them during the

Ottoman Empire. The leading Shi'a ulama were very disappointed when the national government of Iraq turned to the hand of the Sunni politicians because they had envisioned a paramount position for themselves in the new political system like that of the Iranian mujtahads.

The fear of the Christian and Jewish communities at the establishment of an Islamic state promoted the idea that the millet system should be recognized by the new regime. Thus, the millet system was assured by Articles 13 and 16 of the Constitution, which allowed the promulgation of special laws for each of the non-Muslim communities. Needless to say, the Sunni ulama did not exert particular influence on the framing of the Constitution, since the government had already entrusted much of the authority to the Sunni politicians.⁵²

The above-mentioned forces were the only ones which secured access to the Constitution. The fallahin had neither influence nor weight in the Constitution. Merchants, middle

⁵²An Iraqi student of the constitutional law, Tal'at al-Shaibani, maintained that "the Sunni sect did not stamp an influence on the Constitution as a religious force because it identified itself with the Arab nationalism which spread in the Arab world late in the nineteenth century. Therefore, the Sunni's force should be considered an intellectual force that went hand in hand with the nationalistic movement which demanded a constitutional government." "The Influential Forces in the Constitutions and the Interpretation of the Iraq Constitution," al-Qadha, XII (February, 1954), 21.

class, and workers had not yet developed. Only the few who enjoyed the advantages of the old social and economic order planned the Constitution and attempted to attain a balance of the social powers existing at the time.

Bill of Rights

The inclusion of a bill of rights in a constitution serves two purposes. First, it outlines the philosophy and ideas in the community regarding the desirable relation between government and individual. Second, the bill of rights is used as an instrument through which the arbitrary expansion of government is limited and the rights of each individual are safeguarded against political interference. If the constitution makes definite to the citizen body the nature of its civil rights, the government will then operate freely within these limits.

The clarity of civil rights in the constitution is not sufficient guarantee against a governmental action, unless positive machinery is provided in the constitution which supervises the action of the government. In the absence of such machinery the right of the people is violated, for then the government may act without limitation.

How effective was the Bill of Rights incorporated in Part I of the Iraqi Constitution in restraining govern-

ment action? First, we shall discuss the types of rights enumerated in the Constitution and then the machinery for guaranteeing those rights.

The Bill of Rights should be read together with the following:

1. Articles 30-36 of the Treaty of Lausanne which dealt with the nationality of the Iraqis.

2. The Declaration of Iraq on May 30, 1932, on the occasion of the termination of the mandate. In that Declaration Iraq assured the Council of the League that full protection was guaranteed for all the civil rights of minorities in Iraq. The importance of this Declaration was stipulated in Article I of Chapter I which stated:

The stipulations contained in the present chapter are recognized as fundamental laws of Iraq, and no law, regulation, or official action shall conflict or interfere with these stipulations, nor shall any law, regulation, or official action now or in the future prevail over them.⁵³

For the convenience of discussing these rights, one may classify them into two broad categories:⁵⁴

1. General rights--these are found in every demo-

⁵³For text of the Declaration, see Helen Miller Davis, Constitutions, Electoral Laws, Treaties of the States in the Near and Middle East (2d ed. rev.; Durham, North Carolina: Duke University, 1953), p. 149f.

⁵⁴Hooper, op. cit., p. 34.

cratic constitution and are not qualified by the provisions of any law.

2. Conditional rights--these are not absolute, they are conditioned by submission to laws or "recognized as being in force" before the Constitution was promulgated.⁵⁵

Under the first category came the following rights: all Iraqis were to be equal before the law; no Iraqi was to be tortured or deported from Iraq; no unpaid forced labor; no general confiscation of movable and immovable property and goods; freedom of conscience and practicing the rites of different sects of Islam.

Under the second category came the following rights: the protection of privacy; security of the person and residence against any arbitrary action of the government; protection of goods and property from arbitrary expropriation by the government;⁵⁶ equality of all Iraqis in the enjoyment of civil and political rights; freedom of association, meetings, publication, and expression of opinion.

Minorities enjoyed freedom to practice various forms

⁵⁵The Bill of Rights was embodied in Articles 6 through 18.

⁵⁶The Law of Expropriation of Immovable Goods No. 3 of 1934 laid down the procedures and the ways of expropriation. For text of the Law, see Iraq, Ministry of the Interior, Majmou'at al-Qawanien wal Anzima al-Mut'alika bi Omour al-Baladiat [Compilation of Laws and Regulations Concerning

of worship unless such practices were not in conformity with the accepted customs in Iraq and as long as they did not conflict with the maintenance of order and discipline or public morality.⁵⁷ Also, non-Arabic communities had the right to establish and maintain schools for instruction in their own tongue. The council of ministers determined in which districts the non-Arabic language was to be used for instruction in the primary schools.⁵⁸

Thus the Iraqi Constitution of 1925 was influenced by the traditional Western ideas of the function of government and civil rights. In the sphere of civil rights, only the conceptions of equality and liberty were emphasized in the Constitution. It did not go far enough to satisfy the contemporary concept of social justice by inserting social rights and duties of the citizens, as most contemporary constitutions do. The Constitution, in the sphere

the Affairs of the Municipalities] (Baghdad: The Commerce and Printing Press, 1957), p. 58f.

⁵⁷Art. 13.

⁵⁸Article 6 of the State Primary School Regulations No. 19 of 1930 stipulates that: "The Arabic language is the language of instruction in all State schools. In places where the local vernacular is other than Arabic, the language to be used in the schools of such places will be determined by the Council of Ministers." For text of the Regulations, see Iraqi Government Gazette, April 19, 1931.

of the government's function, neither charged the government with the accomplishment of social and economic purposes nor prohibited it from seeking such goals.

Such concepts were left to the responsible policy-making organs' wide discretion in the formulation of economic and social policy. The methods used by the monarchy government in the sphere of economy were various. Some industries were monopolized by the government, others were owned in conjunction with private investors, and still others were protected and encouraged by loans from the government.

The government's interference in the economy of the country continued without any real limitation imposed on it. It is true that the Bill of Rights supposedly restricted the governmental action, but in reality those rights were never activated. Only the right of private property placed real restrictions on the government because that right was fully guaranteed in the Constitution with the provision that private property could be expropriated only for public benefit and with just compensation.

The real restraint on governmental action in directing the economy of the country was left to the "consensus of the elite in power at any given time."⁵⁹ Since both the

⁵⁹George L. Harris, Iraq: Its People Its Society Its Culture (New Haven: HARF Press, 1958), p. 128.

elite and the shaikhs found common ground for getting the benefits from the laws of properties,⁶⁰ the aim of the government, then, was mainly to protect the vested interests of the elite in a free enterprise.

The Constitutional Growth

A constitution can not provide answers to details of the political and social issues which arise in the society because, in order to obtain a general consensus, it must be framed in general terms. As a result of the generality of the constitution, political groups may look differently at one issue; hence, controversy arises over every article and even over every sentence of the constitution.

Therefore, the constitutional document has to be readjusted to the needs of the society; statutes may be formulated to complete what the constitution did not spell out; judicial review or interpretation by official organs may give precise meaning to the clauses of the constitution; the constitutional document may become undesirable a decade from the time of its enactment and may require an amendment, "for to amend is to deconstitute and reconstitute."⁶¹

⁶⁰Batatu, op. cit., p. 83.

⁶¹Herman Finer, The Theory and Practice of Modern Government (Rev. ed.; New York: Holt, Rinehart, and Winston,

To what extent did the Iraqi Constitution provide machinery for its growth? The answer to this question lies in an examination of the process of judicial review and the process of amendment as these were provided in the Constitution.

Judicial Review.--The function of interpreting the Constitution and of invalidating legislative acts contradictory to the Constitution was entrusted to a quasi-judicial body: the high court. The Constitution provided that the high court consisted of eight members besides the president, to be chosen by the senate.⁶² Four of the members were to be senators and four were to be judges of the court of Cassation or other junior judges.⁶³ The decisions of the court were final and were made by a two-thirds majority.⁶⁴

1960), p. 127.

⁶²If parliament were not in session, the members were to be appointed by the council of ministers. (Art. 83)

⁶³Reason for adding judges to the composition of the court was given by Naji al-Suwaydi in his statement to the Constituent Assembly. He said that "because the members of the senate are politicians and are not aware of judicial techniques, therefore judges may be helpful in overcoming such defects in the composition of the Court." See Proc. Assembly, II, 878.

⁶⁴Some representatives in the Assembly suggested that the decisions of the court should be subject to the consent of the king, who would have the right to reject the decision of the court. See ibid., II, 880.

The high court was not a permanent organ. It was established when it was needed to act on the constitutionality of a law or the interpretation of the Constitution. Here we should distinguish between the process of establishing the court, which was done by an irada with the consent of the council of ministers by having the members elected by the senate,⁶⁵ and the process of referring the matter concerned to the court, which was done only by a decision of the council of ministers or one of the assemblies of parliament.⁶⁶

The high court neither contributed significantly to the growth of the Constitution nor limited the power of the government in initiating unconstitutional laws, for it was only charged to make decisions whenever the government in power felt it should, and the court did not have initiative to act by itself on constitutional questions. Without any doubt the government did what it pleased and did not want to question the constitutionality of its actions. On the contrary, the government only assembled the high court when it intended to act unconstitutionally and wanted to legalize its action in the future. "It was known among the legal

⁶⁵Arts. 82 and 83.

⁶⁶Art. 82, Para. 2.

authorities that the High Court often issues important decisions to satisfy the desires of the cabinet which orders its assembly."⁶⁷

For example, the arbitrary dissolution of parliament was never questioned by the high court,⁶⁸ even when the action was a clear violation of the principle of the Constitution which only permitted such action when there was disagreement between parliament and the cabinet.⁶⁹ The cabinet dissolved parliament when the latter was not even in session to declare its attitude toward the new government. A case in point here is the dissolution of parliament in 1954 when it had never even met after the election of its officers.⁷⁰

The high court did not make any decision on any ordinance issued by the government even though most of them were unconstitutional. Ordinance No. 17 of 1954 violated the Constitution in authorizing the council of ministers to withdraw Iraqi nationality from those sentenced for political

⁶⁷al-Hassani, Iraqi Cabinets, VII, 102.

⁶⁸Khadduri, op. cit., p. 101.

⁶⁹See al-Suwaydi's criticism on the dissolution of parliament in 1936 in al-Hassani, Iraqi Cabinets, IV, 215-16.

⁷⁰Nuri al-Said, Ali Jawdat and Hikmat Sulayman had dissolved parliament during its recess in 1930, 1934, and 1936 respectively.

activities and then to deport them. To recall here, Article 7 of the Constitution "absolutely forbids the deportation" of any Iraqi.⁷¹

Amendment.--The Constitution was amended twice--once on July 29, 1925, and then on September 27, 1943.

Article 118 of the Constitution allowed parliament to amend any of the "subsidiary matters" within one year of the time the Constitution came into force.⁷² It provided that parliament should accept the proposed amendment upon the majority affirmative vote of two-thirds of both chambers. The Amendment Law of 1925 dealt only with minor matters such as methods of appointing representatives to the king during his absence from Iraq, as well as specifying the date of assembling parliament and the allowance of its members.⁷³

Until March 21, 1930, no amendment could be made to the Constitution. The intention was to prohibit any change in the Constitution for the duration of the Treaty of 1922.⁷⁴

⁷¹For further discussion on this Ordinance see Chap. IV.

⁷²In the course of the discussion on this article in the Constituent Assembly, opposition was raised upon the difficulty of distinguishing between subsidiary and non-subsidiary matters. See Proc. Assembly, II, 985.

⁷³For text of the First Amendment Law of 1925, see al-Hassani, Modern History, I, 221-22.

⁷⁴See Yassin al-Hashimi's statement in Proc. Assembly, II, 988.

The procedure of amending the Constitution was stipulated in Article 119:

Every amendment must be approved by a two-thirds majority of both the Chamber of Deputies and the Senate. After such amendment has been approved the Chamber of Deputies shall be dissolved and a new Chamber elected. An amendment which has been approved by the former Chamber shall be submitted again to the new Chamber and the Senate. If approved by a two-thirds majority of each Assembly the amendment shall be submitted to the King for confirmation and promulgation.

The second amendment in 1943 was instituted to put an end to the cabinet, which the king disliked. The experience with Rashid Ali in 1941 demonstrated the need for an explicit power to dismiss the prime minister. But before the government proceeded to draft an amendment law, the question arose as to whether it was actually possible to amend those articles of the Constitution which dealt with the prerogatives of the king since Article 22 of the Constitution prohibited the introduction of any modification to "the Constitution during the Regency concerning the King's prerogatives and succession to the Throne."

To deal with this controversy, the high court was assembled to give its interpretation to Article 22. The court's decision of December 24, 1941, justified the theory that increasing the prerogatives of the king should not be considered an amendment and thus would not be contradictory

to the virtue of Article 22.⁷⁵

Then the government proceeded to set up a special committee on December 11, 1941, to prepare certain proposals for the amendment.⁷⁶ The Draft Amendment was finally introduced to parliament on March 23, 1943. Most important of all was the fact that the king's prerogatives were increased by granting him the power to dismiss the prime minister "if the public interest" rendered it necessary to do so. This right was defended on the grounds that "he who has the right to appoint, has the right to dismiss." Thus the amendment aimed "to prevent any further coup d'etat by removing some political and administrative obstacles which in the past had impeded the king from exercising his prerogatives in the interests of the public."⁷⁷

The other matters introduced in the Law were that of leaving the number of senate members indefinite, but not to exceed one-fourth the number of deputies, and that parliament could meet outside the capitol in case of emergency.

⁷⁵For the court's decision and the opinion of the three dissenting members, see Iraq, Ministry of Justice, al-Qanun al-Assasi al-Iraki wa T'adilatieh [The Iraq Organic Law and Its Amendments] (Baghdad: Government Press, 1944), pp. 120-25.

⁷⁶For historical background of the second amendment and the discussion of parliament, see Khadduri, op. cit., pp. 288-98.

⁷⁷Kamil, op. cit., p. 49.

The Second Amendment Law introduced an important innovation to the Constitution:⁷⁸

Article 124. Constitutional methods are neither mentioned in, nor forbidden by, this Law, but are practiced by constitutional states, may be adopted by decision of parliament in joint session, and observed as constitutional rules.

No doubt this Article aimed at helping the growth of the Constitution by adopting new constitutional rules without recouring to the rigid procedure of amendment. But controversy arose as to whether such foreign constitutional methods, after having been adopted, should be amended by a regular law or as Article 119 required for constitutional amendment.⁷⁹ However, this controversy remained an academic one, since foreign constitutional practices were very seldom adopted, and those that were adopted were never amended.

In a participant society the constitution expresses the fundamental agreement among many social groups. Such

⁷⁸For text of the Second Amendment Law of 1943, see The Iraqi Organic Law and its Amendments, pp. 72-88.

⁷⁹Khadduri believes that Article 124 rendered less rigidity to the Constitution because he does not see why, if any foreign constitutional practice were adopted under Article 124, "it could not have been removed or amended in the same way in which it was adopted. Foreign constitutional practices need not have been regarded as part of the Iraqi Organic Law and therefore, were not subject to Article 119." Op. cit., p. 298.

an agreement provides stability and continuity to the political system, and the citizens render their wills to obey the rules of the constitution. The reason for their submission is that all social groups, when they are consulted, find in the constitution representation of their interests.⁸⁰ In a non-participant society the majority of citizens are inactive in the body of politics because their living conditions afford them no possibility to think about politics or to think for themselves. "They remain unintegrated in the political system."⁸¹ Therefore, a fundamental agreement can not be reached in such a society. Only the interests of the predominant social groups prevail in the constitution.

Thus, the fundamental basis for establishing a constitutional order in a society is that all members must agree upon the new relationships established by the constitution, and all should understand the value of such order.

For the masses of Iraqis, the political development

⁸⁰Professor Zurcher points out that ratification of a constitution after discussion and debate "suggest [s] that social compromises have been secured and unity of a sort established." Zurcher (ed.), op. cit., p. 6.

⁸¹Roy C. Macridis and Bernard E. Brown (eds.), Comparative Politics: Notes and Readings (Homewood; Illinois: The Dorsey Press, Inc., 1961), p. 303.

which their society had undergone since 1920 was never comprehended. Their capacity to participate in the political process was restricted by their level of education and by their inequality with other members who were in a better position socially.

With the establishment of the national government, groups began to identify their particular interests and needs. But none of these interests complied with the existence of the nation. Groups which benefited from the old social order never accepted the constitution without legal recognition of their old social organization and of their social power.

This social differentiation which already existed, affected the establishment of a useful relationship among all the members in the new political system. The Constitution came to legalize the already existing social power, and hence, mobility of power dynamics was frozen in the interests of the ruling elite.⁸²

⁸²Karl Loewenstein classifies constitutions with regard to their application to three categories:

1. Normative constitution which lives up to its words--e. g., constitutions of the Western countries.

2. Nominal constitution which does not live up to its words or is like a "ready-made suit which is not worn; it hangs in the closet"--e.g., constitutions of Latin America.

3. Semantic constitution which is fully applied and activated but is merely the formulation of existing location and exercise of political power--e.g., constitutions of Eastern Europe and the Middle East.

Loewenstein, in Zurcher (ed.), op. cit., pp. 204-206.

CHAPTER III

THE MONARCH: POSITION AND INFLUENCE

The monarch was a predominant figure in Iraqi politics. He derived his power from his position as Constitutional Head of State. The Constitution safeguarded the monarch's interests by empowering him with extensive prerogatives to be exercised, on the advice of his cabinet, without any responsibility on his part. Responsibility implied criticism, and criticism must detract from the impartiality which the king should possess.¹ Nevertheless, all the king's prerogatives and duties had to be exercised in conformity with the Constitution, which he had sworn to maintain.²

¹Article 25 of the Constitution stipulated that "the king is safeguarded and is not responsible." This was an expression of the English Constitutional Law that "the King is not only incapable of doing wrong, but of thinking wrong." Lord Esher, who was advising King George V, spoke of the British monarch's prerogatives which "when translated into action must be exercised on the advice of a minister responsible to Parliament. In no case can the Sovereign take political action unless he is screened by a minister responsible to Parliament." Esher Papers, III, pp. 126-29, as quoted by Sir Ivor Jennings, Cabinet Government (3rd ed.; Cambridge: The University Press, 1959), p. 337.

²Article 21. The king took an oath on his accession

Briefly, the king's prerogatives were: confirming laws, ordering their promulgation and supervising their execution, and issuing regulations for the purpose of carrying the laws out. He issued orders for the election of the chamber of deputies and for the convocation of parliament. He opened parliament, adjourned, prorogued, and dissolved it. The king was empowered to issue ordinances which had to be countersigned by the council of ministers and submitted to parliament at its first session for confirmation.

The king had wide discretion to select or dismiss his prime minister, but he had to be aware of the fact that the prime minister should have the confidence of parliament. On the recommendation of his prime minister, he appointed the ministers and accepted their resignations.³

The king also had the power to appoint the members of the senate and to accept their resignations. He appointed and dismissed diplomatic representatives and high civic officials, granted military rank, and appointed divisional

to the throne before a joint session of the senate and the chamber of deputies that he would defend the Constitution and the independence of the country and would be loyal to the nation and the fatherland.

³Art. 26, Para. 6. In the original draft of this Article, the king was given the right of dismissing ministers from office. But this right was omitted from the final draft upon the decision of the Constituent Assembly. Proc. Assembly, p. 575.

commanders. He concluded treaties and ratified them after the approval of parliament. He was Commander-in Chief of the Armed Forces and declared war with the consent of the cabinet and ratified peace treaties. The monarch had the power to enforce martial law and to declare a state of emergency when disturbances occurred or anything happened indicating the likelihood of such events.

However, the influence of the king on the politics of the country depended upon the political skill and personality of the king himself in exercising his prerogatives. Thus, this chapter deals with the separate roles played by the three kings who occupied the throne from 1921 to 1958; King Faisal I (August 23, 1921 - September 8, 1933), King Ghazi I (September 8, 1933 - April 4, 1939), and King Faisal II (April 4, 1939 - July 14, 1958). When Ghazi died, King Faisal II was five years old; thus, he could not exercise his prerogatives until he reached his majority on May 2, 1953.⁴ Amir Abdul-Ilah (the King's uncle) was elected Regent by a decision of the council of ministers with the approval of parliament. He continued to serve as Heir in accordance with the Second Amendment to the Constitution.⁵

⁴Art. 22. "The King shall attain his majority on completion of his eighteenth year."

⁵Art. 20, Para. 2. "If there be no Heir Apparent

Establishment of the Political Power
of the King (1921-1933)

The task laid in the hands of Faisal was not to establish a royal house but rather a new state,⁶ a state to be founded on divergent interests: the interests of both the British and the Iraqis.

The British hoped that through Faisal's influence the Iraqi nationalists might come to a compromise on the new relations between the two countries. On the other hand, the nationalists had placed high hopes on Faisal to bring their dreams of national independence to reality since "he had been the guiding spirit of the Arab Revolt and was at the heart of the emancipation movement."⁷ To bridge the gap which was "as wide on the psychological as on the political approach"⁸ was the task

according to the Law of Succession, the ablest adult male Iraqi of the sons of the eldest of the sons of King Hussein ibn Ali shall be the heir until there is an Heir Apparent." The eldest son of King Hussein was King Ali whose eldest son was Abdul-Ilah. Although Abdul-Ilah lived permanently in Iraq, he did not obtain Iraqi nationality until he became Regent. Maurice Peterson, Both Sides of the Curtain (London: Constable & Co. Ltd., 1950), p. 140.

⁶Sirdar Ikbāl Ali Shah, The Controlling Minds of Asia (London: Herbert Jenkins Ltd., 1937), p. 211.

⁷Nejla Izzeddin, The Arab World (Chicago: Henry Regency Company, 1953), p. 194.

⁸Antonious, op. cit., p. 361.

of Faisal.

But Faisal had learned the lesson in Syria that a small nation like Iraq should not clash with a "Great Power" but rather should ask such a power for support in its national development.⁹ In his enthronement speech, after he had thanked the British government for its support to the Arab cause during the war, Faisal proceeded to say:

I have stated many times that what we need for establishing this State is assistance from another nation who will supply us with money and men. The closest of all to us is the British government who is most anxious to foster our interests. Therefore, we should only rely on the British in assisting us to achieve our national goals.¹⁰

He pleaded with the Iraqis on many occasions to be reasonable in their demands and to realize their limitations for self-government. He reminded his audience, the delegates from the Liwas, on October 2, 1931, of his last experiences in Syria:

I entered this country [Iraq] and I found its people full of dreams and ambitions which did not match their abilities and potentialities. I was and still am reminding you of what happened to us in Syria. My Syrian brothers wanted, in spite of my advice, to exceed their potentialities; in other words, there were incompatibilities between our aspirations and our actual strength. I have relied in my work in this country upon patience and opportunity. The experiences I gained in Syria have

⁹Khadduri, op. cit., p. 5.

¹⁰The text of the speech was published in al-Iraq, No. 380, and republished in al-Hassani, Modern History, I, 179-81.

benefited this nation. At the same time, what we have tested in this country, with your patience and support, will serve the Syrian cause.¹¹

The Iraqi limitation for self-government was laid to its disintegrating society and to its lack of conscience on the national level. Faisal's Memorandum, circulated to his intimate friends, Nuri al-Said, Yassin al-Hashimi, Naji Shawkat, Naji al-Suwaydi, and Jafar al-Askari, to name a few, expressed his views on various national problems and their solutions. On Iraqi unity he said, "It is regrettable to state that in my opinion the Iraqi nation has not yet developed. Some distinct groups without any nationalistic feeling exist."¹²

Faisal then realized that in order to bring the diverse groups of citizens into contact with national politics, he must call for a supreme power among his countrymen to lead them to independence. But the real challenge to his supremacy came from the shaikhs. The King and the shaikhs were antagonists, and each hoped to undermine the power of the other.

To the King the shaikhs represented disorder and

¹¹Iraq, Directorate-General of Propaganda, Faisal Ibn al-Hussain fi Khutabiehi wa A'qwalah [Faisal Ibn al-Hussain in his Speeches and Sayings] (Baghdad: Government Press, 1945), p. 294. Hereafter cited as Iraq, Faisal's Speeches.

¹²al-Hassani, Modern History, I, 7.

the disintegration of the nation. The subjugation of the tribesmen to a paramount shaikh weakened central authority and affected the efficiency of the new political system since the national political system did not provide for decisions to be obeyed by all its members, who relied heavily on their sub-system--the tribe.

The King was aware that the shaikhs derived their power from the vast estates they occupied and from the social structure of their tribes. The only way to subdue them was to destroy their feudal institutions. But neither was the government able to do this because of its military weakness, nor did the British want to see the shaikhs' institution abolished. Faisal himself did not believe that the shaikhs as a class should be abolished. He only hoped that the policy of his government in settling the title of the land would eliminate the power of the shaikhs. "But," Faisal emphasized in his Memorandum, "the shaikhs should not feel that the intention of the government in initiating the policy of the settlement of title is to abolish them."¹³

On the other hand, the shaikhs rejected the King's supremacy because they did not want to see a strong central government alter their powers and privileges. Shaikhs who

¹³Ibid., p. 10.

grew stronger with British support did not want to see those blessed days gone. On the day the election of Faisal was announced by the council of ministers, tribal shaikhs came to see Faisal, "but what they came to learn," Miss Gertrude Bell wrote, "is whether Faisal has our support [British]. They heard it [that he had British support] first from me and then from Sir Percy and I think they go away satisfied."¹⁴

On his visit to Dulaim Liwa, July 25, 1921, Faisal "spoke as a tribal chief to his feudatories" to a gathering of all the shaikhs of that liwa, and asked them to swear allegiance to him. At the end Fahad and Ali Suliman, two of the most powerful shaikhs, stood up on either side of Faisal and said, "we swear allegiance to you because you are acceptable to the British government."¹⁵

Nevertheless, this attitude of the shaikhs should not be generalized. There were other segments of the shaikh group who stood up against British policy and collaborated with the nationalists; in particular, those shaikhs of the Middle and Lower Euphrates who were Shi'a in their faith.¹⁶

¹⁴Lady Florence Bell (ed.), The Letters of Gertrude Lowthian Bell (2 vols.; London: Ernest Benn Ltd., 1927), II, 611. Miss Bell, the Oriental Secretary to the High Commissioner, played a very important role in Iraq from 1917 until her death in 1926.

¹⁵Bell, op. cit., I, 615.

¹⁶Those shaikhs were mostly affected by the propaganda

Among them Faisal found support and used them vis-a-vis the British and other pro-British shaikhs.

In handling the shaikh problem Faisal had no choice save to yield to their personal interests. The Administrative Report of 1923 pointed out that the purpose of the King's visit to southern Iraq was to encourage the shaikhs to take part in the election of the Assembly. He also:

. . . directed his effort to obliterate from the minds of the tribesmen the impression that the present Iraq Government was a government of effindies [Westernized], hostile to tribal interests, and he [the King] paid special attention to the importance of maintaining the existing system of tribal disputes by tribal arbitration.¹⁷

The resentful attitude of the shaikhs caused Faisal, in his early years at least, to turn to the nationalists for support, and in return he adopted their cause for independence and rendered support directly and indirectly to

of the Shi'a ulama, though they also looked to their own personal advantages. To some, national independence meant an escape from government, particularly from the insistence of the payment of taxes. Another reason was attributed to the British policy which supported some shaikhs who had abused their privileges and sought personal advantages. The other shaikhs, resentful of the growing autocracy of the government's shaikhs, found in Faisal and the national movement a promise of release from both the government's shaikhs and from the government which supported them. Great Britain, Colonial Office, Review of Civil Administration, 1914-1920, compiled by Miss G. L. Bell for the Acting High Commissioner, Cmd. 1061, (London: His Majesty's Stationery Office, 1921), p. 143.

¹⁷Great Britain, Report . . . 1923-24, p. 7.

them.¹⁸ He created his own party and group among the nationalists--the ulama and anti-British shaikhs.

But the King's early association with the nationalists neither pleased his Council of Ministers, headed by Abdul Rahman al-Gaylani, nor the British authority. The second Council of Ministers of al-Gaylani expressed its regret that the King associated himself with the nationalists without its consultation and requested "His Majesty to cooperate with the preserving government in conducting the affairs of the state in order to convince the people that the Government of His Majesty can rely on the confidence of His Majesty."¹⁹ The King's reply to this request was no less than an indication of his desire to continue his policy and that he "personally wished the Cabinet to fall."²⁰ The ministers then withdrew from the Cabinet separately, and

¹⁸Faisal supplied some nationalists with money and supported some of their newspapers. Alwan al-Yassiri, a prominent shaikh of the Lower Euphrates, was reported to be an agent of Faisal on the other shaikhs of the area. See al-Hassani, Modern History, II, 19. Also Ireland, op. cit., p. 355.

¹⁹The Cabinet adopted the resolution on August 9, 1922, after it heard a report from the Minister of the Interior concerning the political situation in the country. He attributed the weakness of the government to the increasing agitation of the nationalists and their opposition to the government. For text of the resolution and the discussion, see al-Hassani, Modern History, III, 47-48; also Ireland, op. cit., 357.

²⁰Ireland, op. cit., p. 357.

the whole Cabinet resigned on August 14, 1922.

The British were no less dissatisfied with the King's association with the nationalists. The High Commissioner told Faisal on September 10, 1922, "that the British Government would not tolerate his connection with future national agitation," and moreover, asked him "to regulate his conduct more closely on constitutional lines and refrain from undue interference in matters of detailed appointments and administration."²¹

Faisal rejected the request and continued to interfere in matters outside his jurisdiction. In doing so, he justified his interference on the ground that there was no constitution to distribute and to regulate the business of the government; therefore he had to interfere. But as soon as he had a treaty and a constitution, he would willingly refrain from directing the affairs of the state. Keeping his promise, Faisal withdrew from the political scene as soon as the Constitution was passed by the Constituent Assembly. But complete withdrawal was not satisfactory to the British government because Faisal would no longer influence the nationalists to ease their demands for complete independence. The Acting High Commissioner, Sir Henry Dobbs, had to

²¹Ibid., p. 361.

point out that the question of the king's exercise of his prerogatives "urgently needed discussion" and should be solved in accordance with the political needs of the country.²²

Mr. L. S. Amery, the British Secretary of State for Colonies, paid a special visit to Iraq in the first half of April, 1925. Faisal and Mr. Amery had private talks concerning the prerogatives and the duties of the king. Mr. Amery was able "to inform him [Faisal] as to procedure in England for keeping the King constantly supplied with close information of everything taking place in the Cabinet, and all documents, received at the meetings."²³

But British constitutional traditions were too impractical to be transmitted to the scene of Iraqi politics. Faisal himself, in the turmoil of politics, was not able to withdraw from the scene or to restrain his actions with constitutional spirit. On the contrary, Faisal concentrated more power in his own hand and manipulated national politics. This manipulation is well demonstrated in his relationship with his cabinet and in the process of policy-making.

²²Henry Dobbs, in Bell, op. cit., II, 554. Also see Great Britain, Colonial Office, Report on the Administration of Iraq 1925 (London: His Majesty's Stationery Office, 1926), p. 12.

²³Mrs. Stewart Erskine, King Faisal of Iraq (London: Hutchinson & Co., 1933), p. 213.

Faisal and policy-making.--In the early years the most striking characteristic of Iraqi politics was the leadership of Faisal.²⁴ He could and did change the rules of national politics.

In order to command the support of various groups and segments of peoples, arbitrate their personal differences and moderate their quarrels, he concentrated more power in his own hands. He was able to do that by surrounding himself with a group of politicians readily accessible to and easily influenced by him.²⁵

The choice of prime ministers and the fall of the cabinets always followed Faisal's wishes. Article 66 of the Constitution made the ministers responsible, individually and collectively, to the chamber of deputies. In reality they were responsible to Faisal himself. Not one of the fourteen cabinets which governed Iraq from August 30, 1922, to March 20, 1933,²⁶ were dissembled due to a direct vote of

²⁴Mr. Robert Lansing, Secretary of State of the United States, said, "No one could look at the Emir Faisal without the instinctive feeling that there was a man whom nature had chosen to be a leader, of men, a man who was worthy to be a leader of men." Quoted in Khadduri, op. cit., p. 8.

²⁵Erskine, op. cit., p. 214.

²⁶The fourteen cabinets do not include the first al-Gaylani Cabinet which resigned on the eve of the accession of Faisal to the throne.

no confidence by the chamber. On the contrary, the resignation of cabinets was due either to the direct wish of Faisal or to the belief that they no longer possessed his confidence.

The direct influence of Faisal upon the policy-making and the work of the cabinets was well explained in his speech of October 2, 1931:

In closing my speech I would like to explain to you my position regarding the conduct of the policy of this state. . . . This state has a high policy concerning its security and its advancement. It also has a domestic policy concerning the administration of the interests of private citizens. Because of the importance of the first one, its conduct has been assigned to me and it is implementd under my direct supervision. I am not interfering in the process of the second policy as long, as it does not affect the development of the first one.²⁷

It was hard, even for Faisal, to draw a line between the two policies. Every decision taken by a political body might affect the "high policy" of the state and thus invite Faisal to interfere. This interference was well exhibited in the direct involvement of Faisal in the negotiations of the Treaty of 1927.

In the early months of 1927 negotiations between the Iraqi government and the British authority in Iraq failed to amend the Treaty of 1926 because the British government refused to meet Iraq's demands for admission to the League

²⁷Iraq, Faisal's Speeches, p. 297.

of Nations and to support the national government in establishing its own defense system.²⁸ Then the negotiations between the two governments were transferred to London. The Cabinet of Ja'far al-Askari invited the King, in its decision of August 4, 1927, to "supervise the negotiations" which were to be held in London.²⁹ The nationalists, who were against the treaty negotiations, assaulted the decision as unconstitutional because the king held no responsibility for his actions--treaty negotiations inevitably implied responsibility. The Prime Minister in his reply to the opposition in Parliament explained that the King was requested only to supervise the negotiations and to render advice to his ministers in the course of the discussions on how the Treaty should be amended. Such an assignment was not contrary to the king's responsibility.³⁰ However, both Faisal and his Prime Minister entered into the negotiations which again failed to bridge the views of the two parties.³¹ The Prime Minister returned home while Faisal stayed in London and entered alone into new negotiations with the British

²⁸For a summary of the Iraqi demands, see al-Bazzaz, op. cit., p. 90.

²⁹Quoted in al-Hassani, Modern History, II, 135.

³⁰al-Waqa'ia al-Irakia, No. 606 as quoted in ibid.

³¹Ireland, op. cit., p. 410.

officials.

The agreement reached between Faisal and the British negotiators was expected to be opposed by the Iraqis. Though Britain agreed to recognize the independence of Iraq and to support her admission to the League of Nations, she refused to revise the Military Agreement of 1922 to enable Iraq to establish its own military force. The British Secretary for Colonies expressed to Faisal his doubt as to whether the Cabinet of Ja'far al-Askari would approve the revision to the Treaty. Faisal assured him by saying:

I would share your feeling that Ja'far might disapprove of this agreement if I were not sure that he agrees with me and goes along with me to the death. My confidence in Ja'far and in his loyalty to me ascertains my belief. The agreement did not bring the results we wanted but Ja'far, I assure you, will agree.³²

Although al-Askari yielded to Faisal's appeal, some members of the Cabinet were dissatisfied with the negotiations. Yassin al-Hashimi and Rashid Ali, Ministers of Finance and of the Interior respectively, submitted to the King their joint resignation in which they protested the Treaty as having failed to "secure the vital interests" of Iraq.³³ al-Askari then had to resign on January eighth when

³²From Faisal's private letter to Ja'far al-Askari, published in al-Hassani, Modern History, II, 138-41.

³³The joint resignation of the two ministers was

he realized that his government had become too weak to ratify the Treaty.

Thus, the King remained alone, and he had to bear the consequences since he had promised the ratification of the Treaty. The little favor for the Treaty among the people caused a deadlock in forming the new cabinet. Abdul Muhsin al-Sa'dun, the new prime minister under the influence of Faisal,³⁴ promised to ratify the Treaty and the revised Agreements.³⁵

Since the Treaty's effectiveness was pending on the revision of both the Military and the Financial Agreements, al-Sa'dun's government formed a ministerial committee which submitted to the High Commissioner the Iraqi demands for amending the two Agreements. The High Commissioner refused

submitted to the King himself, not to the Prime Minister, as an indication of their feeling that the King was mainly responsible for the Treaty.

³⁴Tawfiq al-Suwaydi, the prime minister who succeeded al-Sa'dun, stated in his letter of May 14, 1934, addressed to Mr. A. R. al-Hassani that al-Sa'dun was not in favor of the Treaty because he never believed that the Treaty produced any results for improving the relationship between the two countries. For text of the letter, see al-Hassani, Iraqi Cabinets, II, 135-38.

³⁵The first paragraph of al-Sa'dun's program promised "to submit the Anglo-Iraqi Treaty . . . to the next parliament, and to endeavor to conclude the new Agreements, Financial and Military, in accordance with the interests of the people." Ibid., II, 48.

to consider these demands.³⁶

At this stage it became apparent that a wide gap existed between the King and the British concerning the establishment of the Iraqi army, which was the cherished idea of Faisal and his fellow politicians. The British, as well as the shaikhs, opposed the establishment of the Iraqi army. When the government of Ja'far al-Askari introduced the National Defense Act to parliament on June 8, 1927, it was met "with hostility from both within parliament among tribal senators and deputies and in the country among the tribes themselves, especially among the tribes of the Lower Euphrates and the Kurdish area."³⁷

On the other hand, the British government constantly refused to strengthen Faisal's government because the establishment of a strong national army would upset the balance of power which the British had maintained in Iraq. For this reason the Acting High Commissioner in early January, 1927, communicated to the Iraqi government his government's decision promising no help in the use of force to implement the

³⁶al-Bazzaz, op. cit., p. 95.

³⁷Great Britain, Report on the Administration of Iraq - 1927, (London: His Majesty's Stationery Office, 1928), p. 9.

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The refusal of the British to meet this demand angered Faisal and his government. al-Sa'dun, before he resigned in January, held a meeting with the politicians in which he told them of the failure of the negotiations with the Acting High Commissioner. In the meeting the politicians suggested that al-Sa'dun resign from office; meanwhile they pledged that none of them would undertake to form the next cabinet unless the British yielded to Iraqi demands.³⁹

At this juncture Faisal favored creating national agitation against the British, a maneuver aimed to force the British to compromise. For three and a half months he refused to assign the Premiership to any politician.⁴⁰ But the replacement of Henry Dobbs, the High Commissioner, by Sir Gilbert Clayton gave hope for a change in British policy

³⁸For a detailed account of the Iraqi and the British views on the conscription issue, see Great Britain, Report on the Administration of Iraq - 1928 (London: His Majesty's Stationery Office, 1929), pp. 15-18.

³⁹Ibid., p. 17.

⁴⁰al-Suwaydi, in al-Hassani, Iraqi Cabinets, II, 137. It was stated by al-Hassani that during the three months following al-Sa'dun's resignation, Sir Henry Dobbs, the High Commissioner, pointed out many times to the King the urgent need to form a new government, but Faisal always answered him by saying: "I am a constitutional monarch, and the constitutional monarch should always be neutral." Modern History, II, 158.

in Iraq. The new High Commissioner communicated to the Iraqi government the decision of his government concerning the support to Iraq in gaining admission to the League of Nations as well as not to proceed with the Treaty of 1927 but to "conclude a treaty with Iraq to define the two countries' relations."⁴¹

The new Treaty signed on June 30, 1930, was no more acceptable to the Iraqis than its predecessor. The Cabinet of Nuri al-Said was formed on March 23, 1930, only to carry out the negotiations and to ratify the Treaty later. Faisal this time set himself aside from the nationalists by insisting on concluding the Treaty of 1930 at whatever price because he believed he should not lose the opportunity to terminate the mandate regime.

The nationalists criticized the Treaty of 1930 on the ground that it was inconsistent with Iraqi aspirations for complete independence. They joined in opposing the Treaty while the King made every possible effort to pass it. Parliament was dissolved in order to get a new parliament more favorable to the Treaty. The government openly interfered in the election and suppressed the freedom of press

⁴¹Great Britain, Colonial Office, Policy in Iraq, Memorandum by the Secretary of State for the Colonies, (London: His Majesty's Stationery Office, 1929.)

and of meeting. The opposing party, al-Hizb al-Watani (National Party), boycotted the election while the other opposition party, al-Ikha' al-Watani (National Brotherhood), won only four deputies.⁴² The rest were supporters of the government.⁴³ Nuri al-Said, in concluding the Treaty within two months, did not give the opposition parties any chance to bar the ratification. Even after the Treaty had been ratified, the nationalists did not stop their demands to revise it. They toured the country appealing to the good sense of the people to demand revision. The King himself toured the Middle Euphrates districts explaining to the shaikhs and the ulamas the advantage Iraq had gained by signing the Treaty.

The King was fully aware that the opposition's agitation could not be stopped unless its solidarity was weakened. He convinced Muzahim al-Pachachi of al-Watani Party to leave his party and join the government in the Portfolio of the Minister of Economics, and later as Minister of the Interior.⁴⁴ al-Pachachi became extremely harsh on his former

⁴²al-Hassani, Modern History, III, 266.

⁴³Khadduri, op. cit., p. 313.

⁴⁴al-Said addressed a letter to al-Pachachi on January 5th in which he offered him the Portfolio of Economics by saying: "I have found you the best suited for this post. I am happy that His Majesty the King shares this view with

colleagues--the opposition. He suspended their newspapers and arrested many of them. His failure in dealing with the general boycott, organized by the opposition as a protest against the Treaty of 1930, was subject to criticism even by the pro-government groups.⁴⁵ Faisal showed his disapproval of the policy of al-Pachachi by asking Nuri to drop him from his Cabinet. Nuri al-Said resigned on October 19, 1931, and formed a new cabinet on the same day, after he had replaced al-Pachachi with Naji Shawkat.

Before the admission of Iraq to the League of Nations on October 3, 1932, Faisal discussed the possible co-operation of all leading politicians in the coming era of Iraq. To show his sincerity Faisal, on June 26th, appointed Rashid Ali of the Ikha' Party to the chiefdom of the royal diwan (palace). To appease the opposition he dissolved parliament and elected a new one in which the opposition groups would find more representation.

Faisal also asked al-Said, after having acknowledged

me. As you know he has expressed to you his desire on this matter on many occasions." The text of the letter is in al-Hassani, Iraqi Cabinets, III, 143.

⁴⁵Jamil al-Madfa'i, member of the al-Ahad Party and the President of the chamber of deputies, resigned from both parliament and the Party as a protest against the policy of al-Pachachi.

his public service,⁴⁶ to resign from Premiership in order to open the door to a neutral government which would hold a new election. Nuri resigned on October 27 at the same time that a compromise was adopted for all groups in that the new transitional government would be headed by Naji Shawkat.⁴⁷

After Naji's government had completed the election, the King invited the Ikha' Party to form the new government. The Party was keenly interested in coming to power since they had not participated in the government for the last four years. Rashid Ali, under the influence of Faisal, had to include in his Cabinet two members who were directly responsible for the Treaty; Nuri al-Said was appointed to the Portfolio of Foreign Affairs, and Rustam Hyder to the Portfolio of Communications.

Rashid Ali was ready to compromise his party's outstanding opposition to the Treaty of 1930. In his draft program, submitted first to the King for his consideration, he pledged to negotiate for revision of the Treaty. Both

⁴⁶Faisal decorated Nuri al-Said on March 26th with the al-Rawfidayn Order in a special ceremony and addressed him: "Nuri, in every time and in every place, you were sincere, faithful, and honest in every duty I have assigned to you."

⁴⁷Longrigg, op. cit., p. 229; also Khadduri, op. cit., p. 36.

the King and the British Ambassador rejected such a move. The King, in order to convince the members of the Cabinet to drop this paragraph from their program, threatened to resign from the throne. He felt that they had not yet come to realize their national aspirations in the light of terminating the mandate.⁴⁸ The ministers were then inclined to please the King by redrafting their program, which promised "to strengthen the friendly relations with foreign countries and to respect international obligations and to endeavor to realize national aspiration."⁴⁹

The Diminution of the Monarch Power

The death of Faisal on September 8, 1933, was a turning point in the power of the crown. The influence of the new King was enfeebled by his personal shortcomings: his youth--he had barely turned twenty-one years old--, his inexperience, and lack of training in statecraft.⁵⁰ But his

⁴⁸al-Hassani, Iraqi Cabinets, III, 214. The Ikha Party did not recognize the Treaty of 1930 as legally binding on Iraq; they continually requested its revision.

⁴⁹For text of Rashid Ali's program, see al-Hassani, Modern History, III, 121-23.

⁵⁰Maurice Peterson, the British Ambassador to Iraq from 1938 to 1939, observed that Ghazi's personality was a "weak spot" in Iraqi politics and described it as such: "The character of King Ghazi presented a problem to which there was no obvious solution. Speaking good English--he

quick action to crush the Assyrian Revolt of 1933 enhanced his position and gave him immense popularity. In the early days of his reign he tried to exploit this popularity for "the manipulating of cabinets and government after the manner of his father."⁵¹ But lacking his father's leadership, he became more dependent upon some politicians for their advice. One of these influential politicians was Ali Jawdat.

The role of conciliator and moderator in Iraqi politics played by Faisal was needed more after national independence was gained. At this time the leading politicians who were preoccupied with the struggle to terminate the mandate became engrossed in a struggle for political power. The striving for political power could be handled through democratic procedures, but they had already learned from

had been educated at Harrow--he was not without something of that charm and manner which characterized his father, King Faisal. But he was weak and unstable as water and his intemperate habits, combined with his choice of companions from among the wildest of the young army officers and even his own servants at the Palace, made him impossible to control, difficult to influence, and dangerous to all, especially to himself. His one intelligent and healthy interest was aviation, a subject on which he was really knowledgeable and liked to talk." Op. cit., pp. 138-39.

⁵¹Kirk, op. cit., p. 178; Ireland, op. cit., p. 425.

their experience during the mandate period that such a process could always be manipulated by politicians, as in the case of King Faisal.

Rashid Ali realized the weakness of his government; his party--the Ikha'--was under-represented in parliament, and the King had surrounded himself with anti-Ikha' politicians. But Rashid Ali had the support of the shaikhs and the dissatisfied Shi'a. He requested the dissolution of Parliament, but Ghazi, acting on the advice of Ali Jawdat, refused to confirm the request.⁵² Hence Rashid Ali refused to continue his responsibility in October, 1933.

The new Premiership was assigned to Jamil al-Madfa'i, though the British advisors believed that al-Madfa'i's Cabinet would be short-lived,⁵³ since the Ikha' Party had expressed its dissatisfaction with the King's handling of public affairs.

The opposition of Yassin al-Hashimi and Rashid Ali degenerated into political intrigue by depriving their political opponents the use of the military strength of the shaikhs. For the opposition leaders a peaceful change of government was no longer possible since their opponents had

⁵²Longrigg, op. cit., p. 238; Khadduri, op. cit., p. 47.

⁵³al-Hassani, Modern History, III, 128.

already dominated the political process. They came to the conclusion that their success depended upon their use of violence, the only way left at their disposal to compel their rivals to step aside.

The use of violence was not a new phenomenon in Iraqi politics; on the contrary, it had been built into the structure of national politics since the settlement of 1920.⁵⁴ Under the mandate regime violence had been used constantly against British authority. Now it was introduced for the first time to change the national government.

The assignment to the shaikhs of the role of changing the government not only retarded the King in exercising his influence in national politics; it also caused serious injuries to the entire political system. First, the prestige of the shaikhs in the society was enhanced since they were able to direct their tribes to overthrow any government they disliked. Thus, any government in power had to appease those shaikhs who were ready to support its policy. The reward of these shaikhs was the legitimization of their claims on land ownership. Other shaikhs, affected by the abused administration, associated themselves with the opposition. When

⁵⁴Elie Kedouri, England and the Middle East, 1914 - 1921 (London: Bowes and Bowes Publishers, 1956), p. 221.

a government changed the shaikhs changed their position from pro-government to anti-government and vice-versa.⁵⁵

Second, the incitement of the tribes in national politics gave impulse to the perpetuation of the tribal organization which was always maintained by its own sub-system institution, the adjunction of disputes by the Tribal Disputes Law.⁵⁶

The shaikhs were needed also by the Shi'a to help them combat their inequality with the Sunna. The issue of sectarianism became an acute and sharp issue facing the whole political system. Dissatisfaction among the Shi'a with their proportion of representation in the government institutions had mounted since the last years of Faisal's reign. Although Faisal had stressed the rapprochement of Sunna-Shi'a, nothing had been done to satisfy the Shi'a.

The Shi'a, long outstanding as anti-mandate, despised the Sunna because, according to the Shi'a, the Sunna "by

⁵⁵The adherence of both Shaikh Abdul Wahid Sikkar and Shaikh Alwan al-Yassiri to the Ikha' Party and their opposition to Ali Jawdat's Cabinet led the administration to strengthen their rival Shaikh al-Khawam of the same area and use him against them. Later, al-Khawam had to revolt against the Ikha' Government in 1935.

⁵⁶The so-called al-Sulaykh meetings--the meetings of the Ikha' politicians and their shaikh followers--in 1934 produced a pledge "to solve the disputes among the tribes in accordance with their customs and without government interference." For summary of the document, see al-Hassani, Iraqi Cabinets, V, 63.

[their] unworthy compromises with the hated British imperialists managed to enjoy all the fruits of office."⁵⁷ (See Table 3).

TABLE 3

DISTRIBUTION OF HIGH GOVERNMENT OFFICES
BETWEEN SUNNI AND SHI'A IN 1933

	<u>No. of Sunna</u>	<u>No. of Shi'a</u>
Ministers*	6	1
Director-Generals	14	-
Mutasarrifs (Governors)	13	1
Judges	33	9
Qaim-maqams (Director of Qada')	43	4
Police Officers	54	4

*This refers to the Cabinet of Naji Shawkat.

Source: Kedouri, op. cit., p. 212.

It is true that the number of Shi'a eligible for public service was smaller than their total number compared with their counterpart of Sunna on account of the long discrimination against the Shi'a practiced by the Ottoman Empire, which deprived the Shi'a of government office. But the real issue of the Shi'a representation lay in the fact

⁵⁷Kedouri, op. cit., p. 212.

that the offices occupied by them were not correspondent to their number.

The Shi'a ulama were aware of the strength of the shaikhs and came to co-operate with them and to bring the Shi'a grievances to light. With the help of Kashif al-Ghyta', a very influential ulama, seventy-four shaikhs in early 1934 signed a petition of twenty articles, in which they demanded the restoration of the Shi'a's rights.⁵⁸

Four cabinets--those formed by Jamil al-Madfa'i and Ali Jawdat in 1933 to 1935 (See Appendix I)--owed their failures to the shaikh uprisings because the Ikha's shaikhs were angered by the way Ali Jawdat had selected his Parliament in 1934. Although nineteen shaikhs were elected to the Chamber, not one of them were Ikha' sympathizers. The continuing uprising against both Ali Jawdat's and al-Madfa'i's Cabinets left the King no other choice save to invite Yassin al-Hashimi on March 17, 1935, to form the government. The Ikha' leaders now had to pay for "their own sins" when they themselves had to face similar uprisings incited by anti-Ikha' politicians.

The Ikha' leaders, who were the first politicians

⁵⁸For text of the petition, see al-Hassani, Iraqi Cabinets, V, 84-86.

to introduce the shaikhs into politics, were the first to incite the army into politics; that is, the Ikha' government during the twenty months of its administration faced seven uprisings and could not suppress them without the help of the army.⁵⁹

The shaikhs' power began to decline with the growing organization of the army. The passing of the National Service Law of 1934, a dream of the government since 1921 to make the military service compulsory, increased the number of servicemen to more than 20,000 in 1935. Also the army was improved by the introduction of new techniques and modern organization. As a result of this rapid development and its effectiveness in crushing local revolts, the army emerged "as arbitor of Iraq's political destinies."⁶⁰

The change of balance of power in the country was an advantage to the King who could muster the army to his side. But the King himself was less mindful of improving his position. Meanwhile, the politicians had the chance to incite the army in their struggle for power.

Nevertheless, the King in the beginning was pleased to see the army assuming this new role, since it helped him

⁵⁹For details of the uprisings, see al-Hassani, Iraqi Cabinets, IV, 127-43.

⁶⁰Longrigg, op. cit., p. 246.

to overthrow the Cabinet of al-Hashimi in the coup d'etat of 1936. The King's relations with al-Hashimi and the Ikha' leaders had never been amicable because al-Hashimi wanted to devolve the leadership to himself and had assumed a free hand in conducting public affairs while restraining the power of the King.⁶¹

The weakness of the King was known to all politicians. Nuri al-Said expressed his feeling and possibly the feelings of other politicians by saying that "the occupant of the Throne is a child and mindful of only entertainment."⁶² This weakness was utilized by the politicians to encourage the army to fill the vacuum of leadership in Iraqi politics. After the resignation of the government of Jamil al-Madfa'i on December 25, 1938, Nuri al-Said, now Prime Minister, Taha al-Hashimi, Chief of Staff, and Rustam Hayder, Minister of Finance, agreed that the army should be consulted about the "formation of cabinets as well as the selection of prime ministers."⁶³

⁶¹al-Hashimi in his speech in the Municipal Building at Basra Liwa on August 29, 1936, hoped to "rule the country for ten years in order to realize the national aspirations." Quoted in al-Hassani, Iraqi Cabinets, IV, 145.

⁶²Salah al-Din al-Sabbagh, Forsan al-Uroba fil Irak [Memoirs] (Damascus: For the Arab Youth, 1956), p. 71.

⁶³Ibid., p. 133. al-Sabbagh stated that when Nuri expressed his desire to resign from office before February 21,

The reign of Ghazi ended with the king having lost all influence. This power had been turned over to the army which was encouraged to play an important role in the politics of Iraq for a few years.

The Regency Reign

On his accession to the Regency, the attempt of Abdul-Ilah to restore the personal and influential power of the Crown was impeded both by his unpopularity and by the political crisis in the country at that time--political intrigues, acute personal dissension among the politicians, and the army interference in politics. The mysterious accident that ended the life of King Ghazi raised suspicion among the people that a political plot was behind it.⁶⁴ Abdul-Ilah himself did not escape suspicion.⁶⁵

1941, the leading army officers met according to said agreement to discuss Nuri's resignation. The majority decided that the Cabinet should stay in power. Ibid.

⁶⁴King Ghazi was killed in a motor accident on the evening of April 4, 1939. He was driving at an excessive speed and the car went out of control while passing over a railroad crossing, shot off the road onto rough ground, and crashed into an electric light pole which fell on his head.

⁶⁵For speculations as to the possibility of the assassination of King Ghazi, see al-Sabbagh, op. cit., pp. 80-97. "That King Ghazi," Sir Maurice Peterson writes, "must either be controlled or deposed had become obvious and I hinted as much in a farewell visit to Emir Abdül'illah." Op. cit., p. 151.

Abdul-Ilah, before he was selected by the Cabinet, was never known to the rank and file of the people or to most of the politicians. His nomination was contravened among the politicians, but the support of the British, Nuri al-Said, and the army was enough to ensure him triumph over the other nominees.⁶⁶ Being elected on the basis of political interests, the Regent could not exercise his constitutional prerogatives without giving much consideration to the political interests of those to whom he owed his election.

Amir Abdul-Ilah realized in the beginning the need of maintaining good relations with the Four Officers who happened to dominate the army and decide its role in politics. These Four Officers were Colonels Salh al-Din al-Sabbagh, Fahmi Said, Mahmud Salman, and Kamel Shabib--all called the Golden Square. Abdul-Ilah aimed at winning support to his pro-British policy and, in the meantime, to alienate these Officers from any association with any anti-British politicians.

Nevertheless, army interference in politics became undesirable for all concerned. For Rashid Ali the army became

⁶⁶Jamil al-Madfa'i nominated Amir Zaid, King Ghazi's uncle, whose wife was a Turkish subject. Zaid's election to the Regency was rejected as argued against because in case of the death of Zaid during the Regency, his son who was half-Arab would succeed him as Regent. For the account of the army's influence in electing Abdul-Ilah, see op. cit., pp. 83-84.

undependable for support of his policy since his three supporting officers were dismissed from the army on February 21, 1940.⁶⁷ Thereby he was willing to uphold any idea of keeping the army out of politics since such a movement would deny his rivals its use. For both the Regent and Nuri al-Said the Four Officers were not dependable,⁶⁸ hence they were anxious to alienate the army from other politicians who might use the Four Officers against them. The politicians and Abdul-Ilah came to a decision that the army should be kept out of politics and for the benefit of all, the constitutional power of the Regent should be restored. In doing that, it was desirable to secure a pledge from the leading politicians to forget their dissension and to come to work together in a strong coalition government which would be able to deal with the national problems caused by the international crisis.

The Regent called a meeting on March 14, 1940, in the royal palace, attended by all former prime ministers and

⁶⁷The three officers who were put on the retirement list were: General Hussain Fawzi, Chief of General Staff; Colonel Aziz Yamulki; and General Amin al-Umari, Commander of the First Division.

⁶⁸In order to keep an eye on the Four Officers, Nuri reorganized the Ministry of Defence in which the authority was concentrated in the hands of Taha al-Hashimi, Minister of Defence, whom Nuri trusted. al-Sabbagh, op. cit., p. 136.

the following pledge was signed:⁶⁹

In view of our earnest desire to co-operate and leave aside every possible friction in the present grave international circumstances, and in order to realize the interests of our country and ensure the normal constitutional procedure, it was agreed:

(1) A national coalition government should be formed, the head of which would be selected by His Highness the Regent in accordance with constitutional and traditional consultation.

(2) All former prime ministers and statesmen, who signed below, should co-operate with such a government whether they are members of it or not. Those who could not join such a government for any contingent reason-- accepted by His Highness--should endeavor to co-operate with it and should refrain from its opposition.

(3) This agreement is to be signed and submitted to His Highness the Regent.

(Signed) Jamil al-Madfa'i, Tawfiq al-Suwaydi,
Naji Shawkat, Naji al-Suwaydi,
Nuri al-Said, Rashid Ali al-Gaylani,
Ali Jawdat al-Ayubi.

It was agreed at the same time that the Cabinet of Nuri al-Said should resign and a new cabinet should be formed under the Premiership of Rashid Ali and other factions of politicians should adhere to it.⁷⁰

⁶⁹The text of the pledge was stated in the Regent's Speech which was broadcast on July 14, 1941, after the fall of Rashid Ali's government. The full speech was published by the Iraqi Government, Khiytab Sahib al-Suman al-Malaki al-Amir Abdul-Ilah [Speech by His Highness Amir Abdul-Ilah, Regent of Iraq] (Baghdad: Government Press, 1941) pp. 5-6. Hereafter cited as The Regent's Speech. Also Khadduri, op. cit., p. 160.

⁷⁰The government of Rashid Ali was considered the

But the government of Rashid Ali hardly started to work when disagreement between the members of the Cabinet broke out to such a degree that its solidarity was endangered. The Regent realized that the Cabinet had allowed its foreign policy to drift toward co-operation with the Axis Powers.⁷¹ Then he wished the Cabinet's resignation.⁷²

It must be recalled here that the Constitution did not authorize the Crown to dismiss his prime minister at that time. The Regent could not take any action save to point out to the Cabinet that it no longer possessed his confidence and therefore he wished the Cabinet to resign. Realizing his limited power, the Regent told his ministers that in such a world situation the existence of a weak government would impair the safety of the country, and if they did not agree with him about the necessity of their resignation, then all the consequences resulting from their staying in office would be solely their own responsibility since he was not responsible for the actions of his ministers.⁷³

strongest government Iraq had had until that time. Four former prime ministers joined the Cabinet--Nuri al-Said, Naji Shawkat, Naji al-Suwaydi, and Rashid Ali. The other members of the Cabinet were Taha al-Hashimi, Omar Nazim, Mohammed Amin Zaki, Sadig al-Bassani, and Raouf al-Bahrani.

⁷¹For details of Iraq foreign relations with Axis powers, see Khadduri, op. cit., pp. 163-92.

⁷²The Regent's Speech, p. 6.

⁷³Ibid. Constitutionally speaking the Regent was

Rashid Ali refused to obey the Regent's wish and, moreover, accused him of having exceeded his constitutional prerogatives in asking for the Cabinet's resignation.⁷⁴

The Regent-Cabinet relations never improved. In order to remedy the matter, Taha al-Hashimi suggested two solutions to the Regent: first, both Nuri al-Said and Naji Shawkat should resign since they were representing two extreme policies; or second, the whole Cabinet should resign and Naji al-Suwaydi should form a new cabinet. Although the Regent preferred the second solution, the army's backing of Rashid Ali left him with no choice save to accept the first one.⁷⁵ Nuri submitted his resignation on January 21, while Naji Shawkat refused to submit his until the 25th.

Nevertheless, the Regent insisted on the resignation of the whole Cabinet, and he began to maneuver to overthrow the Government. He initiated individual contacts with the members of the Cabinet and persuaded each of them to resign. On January 26th, all of the ministers had resigned except Rashid Ali and the Minister of Communications, Raof al-Bahrani.

not mistaken when he pointed out to his ministers the undesirable consequences which might occur from their staying in office. He had used what had been accepted in the British Constitutional Law "the right to warn."

⁷⁴Ibid.

⁷⁵The Regent's Speech, p. 7.

Then the Regent told Rashid Ali that his Cabinet was no longer constitutionally organized because it contravened with Article 64 of the Constitution before its second amendment which stated that "the number of ministers in the cabinet should not exceed nine, nor be less than six."⁷⁶

The counter argument put by Rashid Ali was that his Cabinet did not lose its constitutionality although five ministers had already resigned. His argument was the following:

. . . that the Prime Minister was always appointed individually to this position by the King, and that the other ministers were appointed upon the Prime Minister's recommendation. Thus unless the Cabinet lost the confidence of Parliament it was not considered to have resigned until the Prime Minister himself submitted his resignation. The question of unconstitutionality therefore did not arise.⁷⁷

The question of the constitutionality of the cabinet with most of its members having resigned was raised once before in 1937 when four ministers from Hikmat Sulayman's Cabinet resigned. The argument may be introduced here that in spite of the silence of the Constitution about the future of such a cabinet and the fact that the practice of selecting prime ministers was always done on an individual basis, this

⁷⁶Ibid.

⁷⁷From Khadduri's interview with Rashid Ali, op. cit., pp. 202-203.

did not rule out the collective responsibility of the ministers according to Article 66 of the Constitution. Collective responsibility meant collective acceptance of the decision of the majority because the general policy of a cabinet was the whole sum agreement of the majority of the ministers of the cabinet. The resignation of the majority of ministers was itself a collective decision as well as an expression of their dissatisfaction with the general policy. Therefore, like any other decision taken by the cabinet, the minority should follow the majority in resigning from office even though the prime minister remained on the minority side.

At this juncture Rashid Ali once again invited the Four Officers to intervene and asked them to request the Regent not to press for resignation. The Regent in anger pointed out to them, when the Four had audience with him, that the selection of the prime minister was always the prerogative of the king and the army should stop interfering in politics because their action was incompatible with "the public interests and had already been prohibited by the laws of the land."⁷⁸ Under the threat of the Four who had already put the army on alert, the Regent was compelled to ask the

⁷⁸The Regent's Speech, p. 8; al-Sabbagh, op. cit., p. 193.

ministers to withdraw their resignations.⁷⁹

But the problem remained unsolved and indeed even more complicated. The problem reached its peak when Parliament was convened in its regular session on January 30th. In the course of the discussion in Parliament Rashid Ali felt uneasy because he had faced heavy attacks from the pro-Regent deputies. He left Parliament for his office and wrote the irada for its dissolution. Rashid Ali, who had triumphed a few days before because of the interference of the Four Officers, took the irada to the Regent and insisted that he sign it.⁸⁰ The Regent, who had already lost the army backing, felt that the only way left for him was to put Rashid Ali under heavy criticism from Parliament, thus forcing him to resign. The Regent refused to sign the irada, but Rashid Ali, who had the promised backing of the army, insisted on dissolving Parliament. At this juncture, the Regent asked for a few hours to consider the matter. A few hours later Amir Abdul-Ilah was able to leave

⁸⁰That particular Parliament was elected by Nuri al-Said on June 12, 1939, and was the first parliament to complete its duration of four years. It is interesting to note that this Parliament co-operated with six different cabinets. It supported Rashid Ali's Government even though he wanted its dissolution. After the collapse of his regime, the same Parliament assaulted the unconstitutionality of the regime and heavily criticized Rashid Ali for leading the country into war with Britain.

Baghdad for Diwaniya Liwa.

The Regent's escape to Diwaniya was effected in order to free him from any form of pressure the Four Officers might place on him to sign the irada. Meanwhile, he left Rashid Ali with the choice of either staying in office and facing a parliament hostile to his policy or resigning from office.

In the evening Rashid Ali convened his Cabinet to discuss the situation. The Four Officers attended the meeting and participated in the discussion. The Cabinet preferred resignation in order to avoid any civil war⁸¹ which could occur because the Regent, on his arrival at Diwaniya Liwa, initiated a resistance movement against any possible military action by the Four. The Regent had already secured the backing of General Ibrahim al-Rawi, the Commander of the Fourth Division, as well as the support of the shaikhs in the Liwa.

Rashid Ali cabled his resignation to the Regent in

⁸¹al-Sabbagh stated that before the Four Officers arrived at the meeting, the Cabinet had already discussed the matter and overruled any possibility of resignation and decided to face the consequences. But during the course of the meeting both Taha al-Hashimi and Mohammed al-Sadr, an intimate friend of Abdul-Ilah, came in, took Rashid Ali aside, and talked to him about resigning. After they left another discussion took place in which al-Sabbagh was the first to suggest resignation. al-Sabbagh, op. cit., pp. 198-202.

Diwaniya and expressed his regret that he, the Regent, had fallen under the pressure of "foreign interests" which induced him to "express dissatisfaction" with the Cabinet. "This was shown," Rashid Ali stated in his resignation, "by your action in leaving the Royal Court and remaining in the Palace, a fact which adversely affected the Cabinet's freedom of action."⁸²

The Regent accepted Rashid's resignation and chose Taha al-Hashimi for the new government. He hoped that al-Hashimi's long association with the Four and their respect for him would help. al-Hashimi was reluctant to accept the invitation until he was assured of the backing of the Four.⁸³ However, his mission to conciliate the differences between the Regent and the Four failed to produce any result. On April 1 the army forced him to resign. The Regent escaped to al-Habhaniya--a British base--then to Basra. After he had failed to organize a resistance movement among the army and the shaikhs in the South, he left Iraq for Palestine.

The Junta leaders formed the so-called Government of National Defence under the Presidency of Rashid Ali to deal with emergency situation resulting from the absence of the

⁸²For text of the resignation, see Khadduri, op. cit., pp. 204-205; al-Hassani, Modern History, III, pp. 218-19.

⁸³al-Sabbagh, op. cit., pp. 203-204.

Regent. Soon the Government set to work on the deposition of the Regent,⁸⁴ though they announced their respect for the Constitution and promised never again to contravene its provisions.

Nevertheless, Rashid Ali's Regime was denounced later as unconstitutional on the grounds that the convocation of Parliament on April 10 by the Second Vice-President of the Chamber of Deputies for the purpose of legalizing the Regime was contrary to Article 39, which authorized only the Crown to order the meeting of parliament.⁸⁵

The return of Amir Abdul-Ilah to Iraq on June 1 after the collapse of Rashid Ali's Cabinet brought him victory over his opponents--politicians and the army officers who were eliminated from the scene. The Regent then began to grow strong among the politicians and assumed an influential role for many years.

⁸⁴Before the coup d'etat it was agreed among the Junta leaders that the Constitution should be amended in order to keep the Regent from interfering in politics though the form of the amendment was never discussed. al-Sabbagh pointed out that on the same day the army took over the government, he had decided that the Regent should be replaced by a Regency Council composed of four members headed by Abdul-Ilah himself. al-Sabbagh continued to state that he proceeded to suggest the idea first to Abdul-Ilah but because of the Regent's flight, the idea was never discussed. al-Sabbagh, op. cit., p. 228.

⁸⁵For text of the official denunciation of Rashid Ali's Regime, see al-Hassani, Iraqi Cabinets, VI, 14.

The Regent learned a new lesson from this crisis-- that the real enemy of the monarch was not the shaikhs, as his two predecessors had thought, but the army. The shaikhs who gave Abdul-Ilah shelter when he had to escape from the army saved his life and came to his support against the army. Meanwhile, he realized that the shaikhs' resistance movement had failed because of the constant drain on the shaikhs' power by the central government.

A few hours before the Regent had escaped to Diwaniya, the Four Officers had an audience with Muhammad al-Sadr, the intimate friend of the Regent and the one who suggested that he leave Baghdad. He plainly told the Four Officers that the causes of the political crisis in the last few years lay in government efforts to strengthen the army at the expense of weakening the tribes.⁸⁶

Thus, both the Regent and the shaikhs came to realize their common interest--protecting their vested interests which were being challenged by the new generation whose liberal ideas for social justice and democratic reform could no longer co-exist with the values of traditional feudalism. The shaikhs, after 1941, were invited to play a strong role in the political system by increasing their representation

⁸⁶al-Sabbagh, op. cit., pp. 196-97.

in parliament and by assigning them ministerial posts.⁸⁷

Due to two factors the army had a setback in its political role. First, the morale of the army was low after it lost the battle with the British troops. The army realized its weakness after it had disappointed the nation which looked upon it as its defender. To many Iraqis, the army had deceived the nation, and the movement which promised complete independence had not only failed to provide it but the entire aspirations of the people for freedom and for a better government were squashed since the country was ruled by a group of politicians dominated by the Regent, and Iraq in consecutive years had to be ruled by martial law.

Second, the Regent did not hesitate for a minute to hold periodic purges of the army's very well trained officers. Over the seven years from 1941 to 1948, 2,879 officers were either dismissed from service or were placed on the retired list.⁸⁸ Also the army was placed under British generals who worked to reduce its ability to fight. In mid-1944 the Inspector-General of the Army, General J. M. L. Renton, proposed to the Minister of Defence, Tahsin Ali, a scheme to

⁸⁷See Chapters IV and V.

⁸⁸For the account of the government policy of weakening the army, see Mahmud al-Doura, in al-Hassani, Iraqi Cabinets, VI, 169-72.

reduce the four divisions of the army to two divisions. The Minister concerned was at first reluctant but, under pressure from the Regent, approved the reduction of the number of divisions to three. But when the time came to carry out this scheme, Tahsin Ali hesitated for the second time to implement it since it would involve a drastic purge of army officers. The Cabinet was in a dilemma, and the Regent asked Tahsin Ali to meet with him to discuss the matter. Tahsin finally resigned on August 28 after being convinced that the purging of the officers was the desire of the Regent.⁸⁹ However, Arshed al-Umari, who succeeded Tahsin, carried out the plan.

The neutralization of the army in Iraqi politics was accompanied by the amendment of the Constitution authorizing the Crown to dismiss prime ministers.⁹⁰ This power was never used, but it remained a threat to any prime minister who was disliked by the Regent.

Abdul-Ilah had a keen interest in playing a great role in the politics of Iraq. He and Nuri al-Said were able to unite all the politicians of the ruling elite and to influence the whole political process. Such a task was not difficult in itself since, first, the successive coups had

⁸⁹See Tahsin's letter to al-Hassani, Iraqi Cabinets, VI, 189-200.

⁹⁰See Chapter II.

eliminated the number of politicians who were able to struggle for political power, and, second, the new threat to their political power had begun to degenerate not as a result of the dissension of the ruling politicians but from the new popular force which grew dissatisfied with shortsighted solutions to the national problems.

Constitutional prerogatives were restored to the Crown and were exercised to keep the rules of the game restricted to a small number of players. With his growing power, the Regent was able to select and dismiss his prime ministers at any time. He even went further, taking into his own hands the choice of the ministers, and he supervised the work of the cabinets. Members of parliament were always selected on the basis of the Regent's wishes.⁹¹

This concentration of power in the hands of the Regent had always been criticized by those who had been deprived of participation in the political system. In the last

⁹¹Khalil Kanna, a minister for many years, testified before the People's Court, a special court established to try the politicians of the monarchy system, "The recent trend in Iraq was toward the monopolization of the political process by Abdul-Ilah, who did not permit any other political activities aimed to realize the national interests." Republic of Iraq, The People's Court, Madhir Jalsat Muhkmat al-Sha'ab [The Proceedings of the People's Court] (Baghdad: Government Press, 1959), I, 80. For more detailed account of Abdul-Ilah's role in the political process, see the first six volumes of said publications.

decade of the monarchy system the opposing political parties continually demanded a constitutional amendment to curb the interference of Abdul-Ilah. On November 28, 1952, the three parties of al-Istqlal, al-Jabha al-Sha'abiya, and al-Watani al-Demkrati presented to the Regent lengthy petitions in which they asked him to stop interfering with the work of the government. al-Watani al-Demkrati Party stated:

Contrary to the doctrine of separation of powers, the authority has been concentrated in the hands of the executive which has had a free hand in conducting affairs of state without consideration of the Constitution or regulations. Also it has impaired democratic procedure--parliament has become subordinate to the executive. The cabinet's stay in office has become dependent upon the will and wish of the Palace. Therefore, the Palace has become the actual authority of every major and minor matter, even the appointment of officials and their placement on the retired list.⁹²

The rule of Abdul-Ilah was not ended when the young King reached his majority on May 2, 1953, and assumed his constitutional powers. The King was too young to exercise his prerogatives freely and Abdul-Ilah remained close by to influence him.

The Crown, with the exception of Ghazi, was the center of the political power. Faisal was very successful in influencing the rules of politics and in controlling the

⁹²al-Ahali, No. 121, November 29, 1952. The texts of the three parties' petitions were republished in al-Hassani, Iraqi Cabinets, VIII, 286-95.

political behavior of most of the participants in the political process. The genuine leadership of Faisal was founded in his ability to use the many political powers in the country; for example, the British, the shaikhs, and the Shi'a. In regard to his relationship with the British, he was a moderate politician who was able to bridge the gap between the nationalists and the British. He appeased the shaikhs by confirming their demands for perpetuating the tribal organization. For the first time the Shi'a began to enjoy some privileges in the new political system--appointment to ministerial posts and important government positions.

The sudden death of Faisal disturbed the balance of powers in the country. Among politicians rivalry and jealousy became apparent. This was not only because of the absence of the leadership of a politician such as Faisal, but also because the independence of the country shattered the unity of politicians whose common interest was the liquidation of the mandate regime.

Two important violent forces were introduced into the political structure of Iraqi politics--the tribes and the army. But the army soon emerged the sole force to be employed by the contending politicians. The external pressure--from both Axis and Allied powers--did not encourage the policy of balancing the powers in the country. The

victory of Abdul-Ilah in the war of 1941 between the Iraqi and British troops manifested the need to neutralize the army. It also enhanced the Regent's position among the politicians. Political power was concentrated in the hands of Abdul-Ilah and Nuri al-Said. Thus, the political situation created a climate favorable to a strong power in the cabinet.

CHAPTER IV

THE CABINET'S POLITICS

The cabinet exerted a crucial influence on national politics because the Constitution had made it the most powerful institution and it enjoyed political support from the ruling elite. The ruling elite themselves intended to make the cabinet the focus of effective power as well as a shadow for their influence and that of the monarch.

The Cabinet Composition

The cabinet was a small body consisting of a prime minister and his colleagues, the ministers who were appointed upon his recommendation to the king.¹ The prime minister himself was appointed to and dismissed from office by the king. The absence of political parties, and the Constitution

¹It was agreed among the students of Iraqi Constitutional Law that the king had the right to reject a minister recommended by the prime minister, but he had no right to name a person to the cabinet just to destroy the harmony of the cabinet. Abdulah I. Bustani, Muzakarat Awalia fil Qanun al-Idari [Notes on the Administrative Law] (Baghdad: al-Rabita Press, 1951-52), pp. 90-91.

itself, gave the king a free hand in choosing his prime minister.² Although the tribal uprisings in 1934 and 1935 and the army intervention in politics from 1935 to 1941 imposed effective limits on the king's powers, the selection of prime ministers remained within the circle of the ruling elite.

The number of ministers in the cabinet varied. According to Article 64 of the Constitution the number of ministers should be between six and nine. With the Second Amendment Law of the Constitution, the number of ministers was increased and a minimum of seven in each cabinet was required.

The Second Amendment also allowed the appointment of deputy ministers and ministers without portfolio. But the Constitution remained silent about the possibility of appointing a deputy to the prime minister. The inclusion of Tawfiq al-Suwaydi in the Cabinet of Nuri al-Said in 1943 as Minister without Portfolio and Deputy to the Prime Minister raised doubts about the constitutionality of such a title.³ The government of Nuri al-Said referred the matter

²Khadduri, op. cit., p. 20.

³It was understood that the formation of Nuri al-Said's Cabinet on December 25, 1943, would enable Nuri to devote more time to foreign policy, especially the negotiations for establishing the Arab League. Hence, he appointed Tawfiq

to the High Court to give its interpretation to Paragraph 3 of Article 64. The High Court, in its decision of May 4, 1944, ruled out the appointment of Tawfiq al-Suwaydi as Deputy to the Prime Minister because such a title had never been mentioned in the Constitution and therefore "any addition of a title or a post such as deputy premiership to the minister without portfolio is incompatible with Paragraph 3 of Article 64 of the Constitution."⁴

It was apparent that the decision did not please Nuri al-Said who on May 28 asked the President of the Senate to summon both Houses to a joint meeting to observe the creation of the post of deputy to the prime minister as a constitutional rule according to Article 124 of the Constitution, since such a method had already been accepted by the constitutions of both Britain and France. But Parliament did not take action on this suggestion because its regular session ended three days later. Nuri al-Said renewed the request in 1949 when he formed his new cabinet and urged the adoption of foreign constitutional methods "because the present world situation multiplied the government's business,"

al-Suwaydi as his deputy to deal with domestic matters.

⁴The decision passed by a majority of five to four. See the decision and the dissenting opinions in The Iraq Organic Law . . ., pp. 146-51.

and the adoption of such a method "would leave the prime minister to deal with major policy."⁵ Finally, in a joint meeting of Parliament the Prime Minister's proposal was accepted, and since then most cabinets have included a deputy to the prime minister.⁶

The Constitution provided that ministers must be members of parliament. It was possible for a minister to be chosen from outside the circle of the members of parliament, but he could not retain his ministerial post more than six months unless he were appointed a senator or elected a deputy before the end of that period.⁷ This arrangement

⁵For texts of both letters of the Prime Minister, dated on May 28, 1944, and February 19, 1949, see al-Hassani, Iraqi Cabinets, VIII, pp. 59-61.

⁶For the decision of Parliament, see Iraq, Ministry of Justice, Majmou'at al-Qawanien wal Anzhima wal Marasiem wal Ta'limat li Senat 1949 [Compilation of Laws, Regulations, Proclamations, and Instructions] (Baghdad: Government Press, 1950), Part titled Decisions, p. 16f. These compilations were issued annually and contained all the laws and regulations issued during the whole year. Hereafter cited as Iraq, Compilation of Laws . . . (Year).

⁷The original draft of the Constitution allowed a minister who was not a member of either house to hold his post in the cabinet for one year, but the Constitutional Committee in the Constituent Assembly reduced the permitted period to not more than six months. One member of the Committee gave the reason for such condition that a minister should obtain the confidence of the origin--the parliament. Proc. Assembly, pp. 773-74.

undoubtedly was made in order to give expertness a place in the cabinet where it was needed. The rise of bureaucrats recruited from their governmental posts to the cabinet was common place in the history of Iraqi politics, not, however, because bureaucratic expertness was urgently needed to advise the cabinet on technical matters--especially in the early stages of political development when bureaucracy itself had not yet been developed, and, hence, was not in a position to be serviceable to the cabinet. On the contrary, the recruitment of non-parliamentarians was often motivated by power politics. The prime minister could easily influence his colleagues in the cabinet if they were bureaucrats because they owed him their political rewards--promotion to cabinet ranks.

Cabinet Responsibility

The makers of the Iraqi Constitution did not fail to import from Western constitutions the very famous constitutional convention of cabinet responsibility to parliament. Article 66, which contained the principle of cabinet responsibility, was formed as the following:

Ministers of State shall be jointly responsible to the Chamber of Deputies for affairs dealt with by the various Ministers and responsible severally for acts relating to each of the Ministers and Departments attached thereto. Should the Chamber of Deputies pass a vote of no confidence

in the Cabinet by a majority of members present, the Cabinet must resign. If the resolution in question relates to one Minister only, such Minister must resign.

At the request of the Prime Minister or of the Minister concerned, the Chamber shall, once only, postpone a vote of no confidence for a period not exceeding eight days. The Chamber shall be dissolved during that period.

This Article made the cabinet responsible to parliament in two senses: that every minister was responsible individually for the work of his department and that all ministers were responsible as a body for each department and for general policy.

As far as individual responsibility of a minister is concerned, this can be seen in the highest position each minister enjoyed; that is to say each minister was made responsible for the work of a single ministry and thereby was accountable to parliament for any default in handling his ministerial business.⁸ This accountability was guaranteed by giving the members of parliament the right to put questions to ministers and to demand explanations.⁹ The failure

⁸"The minister's task," says Professor Herman Finer as he explains the nature of the minister's responsibility in a constitutional government, "is on the departmental side, one of stimulus and direction; on the parliamentary and electoral side, advocacy and defense of what he and his colleagues are doing, and, as long as they are in office, they and they alone are assumed to be doing all that which is, in fact, being done." op. cit., p. 594.

⁹Art. 54. "Every member of Parliament has the right to put questions and demand explanations from Ministers.

to bring the members of parliament to an understanding of the efficiency of the minister's department would lead to a vote of no confidence in that particular minister, and hence he would have to resign from his post in the cabinet.

The constitution-makers intended to relieve an incompetent minister from office without causing the downfall of the cabinet. The distinction of the responsibility of the whole cabinet from that of any one minister made the prime minister and the cabinet as a whole responsible for the main lines of policy and the ministers for departmental policy, and they must resign should the majority of the chamber of deputies deny them its confidence. This arrangement could enable parliament to influence the practical conduct of the business of individual departments. Though it was impossible to draw a precise line between general policy and departmental policy, the vote of no confidence in a minister could impair the solidarity of the whole cabinet as observed by Nigel G. Davidson,¹⁰

Discussions arising therefrom and answers given in reply thereto shall be carried on in the manner prescribed by the Internal Regulations of each Assembly, provided that such discussion shall not take place until eight days at least have elapsed from the day on which such questions or demands for explanations were put. This procedure may be departed from in urgent cases or by consent of the Minister."

¹⁰Mr. (later Sir) Nigel Davidson was the legal advisor to the High Commissioner in Iraq and was a member of the

That a vote of no confidence in a Minister does not involve the resignation of the whole Cabinet shows that the principle of a Cabinet's solidarity is imperfectly understood. This is not to be wondered at, as hitherto in Iraq the Council of Ministers has also been the legislative authority, and has, therefore, been chosen as far as possible to represent various and often divergent interests. In such case, Cabinet solidarity was impossible.¹¹

The question of the solidarity of the cabinet involved the question of collective responsibility of the whole cabinet, in which ministers must be as one in defending the policy of the cabinet and thereby all be responsible for any decision taken by the cabinet. The cabinet must resign as a body if its essential policy is rejected by the majority in the chamber of deputies.

The Constitution instituted the condition that a government need not ask for a vote of confidence upon entering office or thereafter. The vote of no confidence could only be requested when the question of support lacking to the government might be posed. This does not mean that a government in office did not possess the confidence of parliament until a vote of confidence had been passed by the chamber. Although the Constitution was silent about this issue, an interpretation could be borrowed from the Weimer

Committee charged with drafting the Iraqi Constitution.

¹¹Davidson, op. cit., p. 49.

constitutional lawyers where a similar issue arose. They contended that the Constitution here meant that a government already possessed the confidence of the chamber upon its entry into office unless this body had withdrawn its confidence by an express vote of no confidence.¹²

The tendency to strengthen the cabinet by exempting it from obtaining a vote of confidence as soon as it assumed power prevailed to a greater extent in the original draft of Article 66, which required minimum of two-thirds of the members of the chamber for passing a vote of no confidence. In the course of discussion in the Constituent Assembly, a deputy from Kut Liwa expressed his regret for this arrangement because a cabinet, then, could represent not the majority but rather the minority--one third of its members. Naji al-Suwaydi in his reply asserted that the requirement of two-thirds of the deputies to overthrow a cabinet would be essential in the early stage of the parliamentary life in the country, and such arrangement would prevent the chamber from making any spontaneous decision which might hinder the cabinet from fulfilling its responsibility.¹³

Without much discussion on the draft, a proposal was

¹²Finer, op. cit., p. 658.

¹³The Proc. Assembly, p. 784.

put before the Assembly which reduced the minimum votes required to overthrow the cabinet to the majority of the members attending the meeting.¹⁴ At the same time, it was inserted that a vote of confidence could be postponed for a period of eight days, and during that period the cabinet could not dissolve the parliament.¹⁵

However, no vote of confidence had ever been proposed whether directed against an individual minister or against the whole cabinet, not because cabinets were formed on the assumption that they already commanded the majority in the chamber of deputies, but because the cabinet could dissolve the chamber at any time even before facing it or before there was any suspicion of the availability of parliament support.

Nevertheless, although a cabinet's life could not be ended by passing a vote of no confidence but only by blocking governmental legislation, such a move was not expected from the chamber of deputies since it was the govern-

¹⁴The proposal was put forth by Yassin al-Hashimi, Proc. Assembly, p. 787.

¹⁵Naji al-Suwaydi explained that the reason for giving a minister or a cabinet a waiting period of eight days was to give the cabinet time to prepare its defence. In this sense, al-Suwaydi understood the vote of confidence would be taken only when there was accusation against the cabinet in conducting its business. Proc. Assembly, pp. 784-85.

ment chamber. But a hostile senate could force a cabinet to surrender its seals.

The senate and the cabinet.--The senate was a shelter for the ruling elite by means of whom they could check on the government's policy whenever such policy tended to shift from their vested interests. Though the senate was not empowered to pass a vote of no confidence in a cabinet, it could overthrow a government by obstructing its legislation because no legislation became valid until it had been accepted by both assemblies.¹⁶ The senate has always maintained friendly relations with the cabinets. In the whole history of the Monarchy, the senate showed hostility only twice toward the cabinet.

The first of these two incidents was directed against the Cabinet of Ali Jawdat in 1934. The dissolution of Parliament a few days after Ali Jawdat came to office, a right denied to the Ikha' government in 1933, caused the anger of the Ikha' leaders.¹⁷ The hostility of the Ikha' Party and its supporters among the shaikhs broke out when the elections for the new Chamber of Deputies were carried out in such a way that they brought only the Premier's nominees to

¹⁶Art. 62.

¹⁷Khadduri, op. cit., p. 47.

office. The new Chamber was described as unrepresentative of the Ikha opposition, poor tribal spokesmen, and proportionally unjust to the Shi'a.¹⁸

Criticism against Ali Jawdat stemmed from the Ikha' leaders in both Assemblies. Yassin al-Hashimi, in the Chamber of Deputies, criticized Ali Jawdat and attributed the failure to bring real representation of the people into Parliament to improper methods of forming the cabinets, aimed "only to fill the seats in the cabinet."¹⁹ In discussing the speech from the throne in the Senate, Ikha Party leaders again evidenced their hostility against Ali Jawdat by bitter speeches. Ali Jawdat, in replying to the criticism of the manner in which the election was carried out, stated that the election had followed "the same procedure as in former elections."²⁰

The Senate, in its reply to the speech from the throne, expressed its regret for the dissolution of the former Parliament and criticized the election as having been "carried out according to well-known special procedures."²¹ The resolution

¹⁸Longrigg, op. cit., p. 133.

¹⁹al-Hashimi's speech in the Chamber of Deputies, quoted in al-Hassani, Iraqi Cabinets, IV, 39.

²⁰Proc. Senate, 11th Sess., 1935, as quoted by Khadduri, op. cit., p. 48; al-Hassani, Iraqi Cabinets, IV, 33.

²¹Quoted in Khadduri, op. cit., p. 49.

was adopted by the majority of the Senate. Ali Jawdat realized that his government could no longer continue in office since the Senate had demonstrated its unwillingness to co-operate with him and the continuance of tribal uprisings in the Middle Euphrates area placed an additional burden upon him.

The second incident was directed against Tawfiq al-Suwaydi's Cabinet in 1946. That Cabinet was considered by liberal elements to be the only cabinet responsive to national demands for restoring democratic freedoms. As soon as al-Suwaydi came to office, he promised "to transfer the country from the perplexing predicament resulting from the war to the normal situation needed in peacetime."²² In keeping his promise, he promptly took certain measures which abolished war regulations, permitted the formation of five political parties, lifted martial law, abrogated the Ordinance for Protecting Security and the Safety of the State, and restored the freedom of the press.

This liberal policy was opposed by the elder politicians in conjunction with the Regent. The Cabinet could be removed from power by the Regent, but it was undesirable for him, at that time at least, to use his constitutional

²²For text of al-Suwaydi's program, see al-Hassani, Iraqi Cabinets, VII, 5-7.

power to dismiss a cabinet, especially one which had begun to fulfill what he himself had already promised the people-- the restoration of constitutional life to the country and the introduction of social reforms.²³

The Senate maneuvered to force al-Suwaydi to resign. On May 23, the government submitted to the Senate a temporary budget which had already been passed by the Chamber, since the general budget for 1946-1947 had not been submitted to Parliament. The Senate was called to order to discuss the budget, but it was noticed that only sixteen senators were present while the other nine were absent.²⁴ After having approved the Electoral Law, the first item on the agenda, the senators present asked for an adjournment for five minutes. Another nine senators were absent when the meeting resumed. It was impossible to start discussion on the temporary budget without a quorum.

²³The Regent called a meeting of deputies and senators on December 27, 1945, and delivered a speech in which he attributed the recurrent coups d'etat in the past to the absence of real parliamentary life, and outlined a general national policy based on social justice, individual security, and the training of the new generation for public service. He reminded his audience that parties should be licensed to work together in realizing the national interests. For text of the speech, see al-Hassani, Iraqi Cabinets, VI, 293-96.

²⁴Khadduri, op. cit., p. 255. Among those who took active part in the conspiracy were: Arshal al-Umari, Mustafa al-Umari, Salih Jabr, Hamdi al-Pachachi, Abid al-Mahdi, and Yousif Ghaniyama.

The senators made it clear that they would not attend any meeting of the Senate unless the government resigned. al-Suwaydi realized that the parliamentary session was coming to an end and that his government could not continue in office without a temporary budget to finance the administration.²⁵ Hence, he was left with no alternative but to submit his resignation on May 30.²⁶

The Senate's conspiracy, however, demonstrated that the ruling elite did not believe wholeheartedly in the process of political democratization even though the Regent had promised it. On the contrary, the Senate made it impossible for any cabinet which tried to initiate a liberal policy to stay in office.

The Powers of the Cabinet

Theoretically the functions of legislation, adjunction, and execution were distinguished from each other and assigned separately to different institutions. Nevertheless, these institutions were never established on equal footing, and no safeguards were provided to prevent wanton exercise

²⁵The ordinary session of Parliament had to end on the last day of May. Art. 38.

²⁶The opposition parties became critical of the Senate's deliberate move. They alleged that the Senate's strike was unconstitutional because it had not been authorized in the Constitution.

of authority by any one of them. The executive, the most prone to usurp power, overshadowed the other two branches and enjoyed authoritative power in that it could deprive, and did so, the other two branches of government of the performance of their assigned functions.

The rule application function was exercised by the cabinet. The striking features of the cabinet's strength could be seen in its powers of (1) dissolving the chamber of deputies, adjourning and proroguing it; (2) issuing ordinances; and (3) declaring martial law and state of emergency.

In this Chapter we shall deal with the second and third powers leaving the discussion on the first to the next Chapter.

Issuing ordinances

Article 26 in Paragraph 3 empowered the cabinet to issue ordinances which had the force of law. The clause reads:

If necessity shall arise, when Parliament is not sitting, for taking urgent measures to maintain order and public security, to repel a public danger, to incur urgent expenditure not sanctioned by the budget or by a special law, or to carry out the obligations of treaties, the King may, with the approval of the Council of Ministers, issue ordinances, having the force of law, prescribing measures to be taken, as may be necessary in the circumstances, provided that they shall not contravene the Constitution. All ordinances must be submitted to

Parliament at its next session, except those which have been issued for the purpose of fulfilling the obligation of treaties which have been approved by Parliament or the Constituent Assembly. If Parliament does not confirm the ordinances, the Government shall give notification of the termination of the operation thereof, and they shall stand repealed from the date of such notification. All Ministers must sign the ordinances.

Deliberation of the Article made it clear that the function of the legislature--rule making--could be delegated to the executive. The latter might use this power whenever:

1. Parliament was not sitting, that is, whenever parliament was not in session, or was dissolved, adjourned, prorogued.²⁷
2. A necessity arose. Here, the necessity was defined as having need to protect public security or to acquire money not sanctioned by the budget or to carry out the obligations of the Treaties.

The question involved is who should define the existence of necessity for such measures? No doubt the cabinet was left to decide at what time the power of issuing ordinances must be used. Theoretically this power was limited by two conditions: first, that ordinances must be in conformity with the constitutional provisions, and second, that ordinances must be submitted to parliament in its first

²⁷Abdulah I. al-Bustani, "The Constitutionality of the Ordinances," al-Ahkam al-Qadha'ia [Review of the Judicial Decisions], I, (Baghdad: May, 1953), 9.

session.

Bearing in mind the absence of a proper body to verify the constitutionality of laws in Iraq and the existence of a weak parliament, the cabinet was not restrained from decreeing any matter in the form of an ordinance at any time.

The frequency of resorting to ordinances by the cabinet could be illustrated in the number of ordinances and their ratio to the whole number of legislations. During the period from 1922 to 1954 parliament passed 1,685 laws while the number of ordinances decreed was 226 for the corresponding period. In other words, ordinances comprised twelve per cent of the whole body of legislations²⁸ Notwithstanding the fact that these ordinances fell into the sphere of finance, a great portion of them were concerned with the political participation of individuals in the political process.

The need to issue ordinances in the early years of the national government can be appreciated because inexperi-

²⁸The body of legislations, however, did not include the 1,714 regulations which were issued by the executive for the "purpose of carrying out laws" within the expressed provisions of the Constitution. Art. 26, Para. 1. Those figures were accumulated by Mahmud N. Ismail, al-Fahrast Al'am lil Qawanien wal Anzhima wal Biyanat wal Ta'limat [The General Index to the Laws, Regulations, Declarations, and Instructions] (Baghdad: Publishing and Printing Press, 1955), Table, page F.

enced politicians and bureaucrats were not able to predict unforeseen expenditures and needs. Hence, they had to decree ordinances to cope with financial matters. Also, due to the large amount of money Iraq was bound to repay the British government under the Financial Agreement of 1922 and other subsequent arrangements,²⁹ the cabinets were forced, on the suggestion of British advisors, to issue ordinances in order to provide extra sources of income.³⁰

Moreover, the political development of a new nation demanded continuous efforts to rearrange the political and social relations in the society by establishing new rules and institutions which could deal effectively with consequent change. Therefore, in order to meet the needs which arose every day, the Iraqi government had to endeavor to overcome the shortage of laws and regulations, not only by acts of parliament, but also by executive ordinances.

But the persistent decreeing of ordinances never ceased, even after the Iraqi independence. On the contrary, ordinances were issued more frequently than ever before to strengthen the cabinet's powers and to eliminate the political

²⁹Great Britain, Treaty of Alliance signed at Baghdad, October 10, 1922. The Financial Agreement of October 16, 1922, signed at Baghdad March 25, 1924 (Ratified December 19, 1924) Cmd. 2,370 (London: His Majesty's Stationery Office, 1925).

³⁰Great Britain, Report . . . 1927, p. 73.

activities of participant citizens. An example may be given here of a very important ordinance, the Ordinance for Protecting Security and the Safety of the State No. 56 of 1940.³¹ In this Ordinance the Minister of the Interior was authorized, and such authorization might be delegated to the mutasarrifs, to detain any person whom the government might regard as dangerous to the safety of the state. By virtue of this Ordinance the successive Cabinets of al-Madfa'i, Nuri al-Said, and al-Pachachi were able to arrest their political opponents and send them to the South to spend a few years in a deserted area.³² Notwithstanding that the Ordinance was activated for more than five years, Parliament did not pass a decision on it. The Chamber of Deputies approved it in December of 1940. The Senate then tabled the Ordinance, but did not decide against it until March 21, 1946. The Senate repudiation of this Ordinance was anticipated from the moment when the Government of al-Suwaydi announced its intention of

³¹This Ordinance was issued by Rashid Ali's Government on May 31, 1940, but it was never used by that government. For the Ordinance, see Iraq, Compilation of Laws . . . 1940, p. 56.

³²The number of arrested persons was never revealed; however, Khadduri reported that the number hardly exceeded 350 although he had been told that it might have reached between 500 and 750. Khadduri, op. cit., p. 249.

abolishing all war regulations.³³

The constitutionality of the Ordinance was doubted because arresting and detaining individuals fell within the jurisdiction of the court. Therefore, empowering the cabinet to perform the function of the judiciary branch was a violation of the principle of division of powers. This argument was previously upheld by the High Court in its decision to repeal the Seditious Propaganda Law of 1937.³⁴

The post-war cabinets were inclined oftentimes to decree ordinances that dealt more specifically with political participation. This tendency revealed the fact that the ruling elite was unsure of the ability of the body of laws already at their disposal to perform the function of restrainer on their political opponents, a consideration which became clear in the set of ordinances issued in 1954.

al-Said's Cabinet of 1954 and the policy of ordinances

The formation of al-Said's Cabinet in 1954 asserted once again the phenomenon among the Iraqis that whenever there was a sharp conflicting of interests between the ruling elite and their counter-elite, Nuri al-Said alone could break up

³³For text of the senate decision on the Ordinance, see al-Hassani, Iraqi Cabinets, VII, 9.

³⁴Ibid., IV, 123.

these conflicts.

The inclination of the ruling elite toward the formation of a collective defence system for the Middle East was constantly met with protest and violence from the opposition parties. Due to the unfavorable atmosphere created by the opposition parties who rejected any amendment to the Iraqi Treaty of 1930, the successive cabinets of the period from 1947 to 1954 failed to overcome the opposition to any defence treaty with the West.

The failure of Abdul-Ilah in 1952 and 1953 to have sole command among the ruling elite gave Nuri an enhanced position when he was invited to form his government this time.³⁵ Before the formation of his Cabinet, al-Said insisted upon dissolving Parliament after it had met only in one session to hear the Speech from the Throne.³⁶

al-Said realized that in order to conclude a defence

³⁵In the formation of al-Jamali's Cabinet on September 17, 1953, the dissension between Nuri and the Regent came to its peak. In an interview with the correspondent of al-Hawadith, Nuri stated, "I was not among those who were consulted in Sirsank [a northern summer resort where the first consultation was held by the King to form a new government to succeed al-Madfa'i] about the formation of al-Jamali's Cabinet because at that time I was in Cairo. Thus, the members of the Constitutional Union Party who entered the Cabinet participated on an individual basis rather than representing the Party." Quoted in ibid., IX, 179.

³⁶The election of the Fourteenth Chamber was held on June 9, but it did not meet until July 26. It was then adjourned for four months.

treaty with the West, he should move fast to obstruct any organized opposition by the other parties. On the day he formed his Cabinet, August 3, Nuri was granted an irada for dissolving the Chamber and announced the liquidation of his party--the Constitutional Union Party.³⁷ This movement alerted the opposition parties to al-Said's intention to liquidate all political parties and to suppress political freedom. He made his intention clear in his announcement on the same day to the people, asking them to co-operate with his government in obstructing the activities of the "few who had been hurt by the progress of the Kingdom and by the increasing prosperity of its sons." Allegation was also made against the opposition for being subservient to foreigners and leading the people in the wrong direction.³⁸

Meanwhile the Cabinet set to work on replacing with a set of ordinances the laws governing civil rights. A brief discussion on these ordinances would show that the rules of the game became very exclusively the rights of the members of the ruling elite.

³⁷Nuri's justification of the dissolution of his party was "to open the door to everyone who feels in himself the competence to represent the people without patronage to any particular party." For text of the announcement, see al-Hassani, Iraqi Cabinets, IX, 104.

³⁸For text of the announcement, see ibid., IX, 105.

Ordinance No. 16 of 1954 for Amending Law Supplement Baghdad Penal Code of 1938.³⁹--In 1938 the amendment of Article 89 of the Baghdad Penal Code prohibited any promotion of "communism or anarchism or nihilism." In order to punish the promoters of these doctrines, the court had to have before it enough evidence to prove, for example, that the alleged person was a member of the Communist Party or had promoted Communism by publication or speech. With Ordinance No. 16, the court was relieved from searching for such evidence as long as the accused person was a member of the "Peaceful Patronage Organization" or "Youth Democratic Association" or "any other similar association." It was apparent that the court was left with wide discretion to decide which associations had communist affiliations.

Ordinance No. 17 Amending the Iraqi Nationality Law.⁴⁰--The Iraqi Constitution left the details concerning Iraqi nationality to be determined in a law, but it laid down a principle not to be violated by any law that the citizen of Iraq must not be deported from the country.⁴¹ Neither the

³⁹For text of the Ordinance, see Iraq, Compilation of Laws . . . 1954, pp. 166-67; in English, see Iraqi Government Gazette, No. 30, July 24, 1955.

⁴⁰For text of the ordinance, see Iraq, Compilation of Laws . . . 1954, pp. 168-69.

⁴¹Arts. 5 and 7.

Constitution nor the Iraqi Nationality Law of 1924 was intended to punish any citizen by withdrawing his Iraqi nationality.⁴² Ordinance No. 17 sanctioned forfeiting the citizenship of any citizen, without distinguishing between natural-born citizen or naturalized, accused of the offences listed in Article 89 of the Baghdad Penal Code and its Amendments. With this Ordinance a person deprived of citizenship could be deported from Iraq by a decision of the council of ministers.

With the extension of Article 89 of the Penal Code by Ordinance No. 16 it became possible for the court to sentence any person on the grounds of supporting communism if he had belonged to any organization which might serve the "end of the said doctrine." Indeed, participants in a strike or demonstration were sentenced in accordance to Article 89 of the Baghdad Penal Code because such activities were often considered Communist activities. Hence Ordinance No. 17 made it possible for the government to deprive Iraqis of nationality even though they were not communists. Although the Government of Nuri al-Said did not exercise this power against more than a few, it did however deprive some non-

⁴²The Iraqi Nationality Law was enacted in 1924 in accordance with Articles 30-36 of the Treaty of Lausanne which laid down the general principles for the Law.

communists of their nationality; for example, Adnan al-Rawi of the Istqlal Party.⁴³

Ordinance For Trade Unions No. 18 of 1954.⁴⁴--Post-war politics induced the emergence of a working class which began to demand a share in the political process. Although this class was still weak, political parties strained their efforts to support a labor movement. The ruling elite reacted to the labor movement by suppressing it and arresting its leaders.

There was no legislation enacted dealing with the trade union, save the special Regulation of 1937 which authorized the Minister of Social Affairs to permit the establishment of a trade union or to close it if it violated the purposes for which it was established. The Ordinance of 1954 gave the Minister of the Interior the power to dissolve any trade union, even if it was established by a "special law," whenever it violated the "public security."⁴⁵

⁴³The three political parties, al-Uma, al-Istqlal, and al-Watani al-Demkrati, declared in separate statements that the issuance of these Ordinances was unconstitutional.

⁴⁴For text of the Ordinance, see Iraq, Compilation of Laws . . . 1954, pp. 170-71.

⁴⁵The government gave the following reason for issuing the Ordinance: "It has been proven that some trade unions exceeded their purposes and used their legal status to promote doctrines which were already prohibited by law . . . some other unions utilized their legal recognition for

Under this Ordinance, professional associations became subject to closure by a decision of the council of ministers, although their specific laws might not allow this procedure. It was clear that this Ordinance was decreed especially to allow the government to close the Bar Association for its political activities against the government-- lawyers composed the most articulate interest group.

Ordinance for Association No. 19 of 1954.⁴⁶--Political parties, or any other form of political articulation, were always subject to strict regulations. Associations must receive permission from the Minister of the Interior before they could start operations. The new Ordinance, according to Article 25, abrogated the licenses of all political parties, associations, and clubs. It became impossible for any articulate group to form a party or any other type of association because of the rigid regulations the Ordinance contained.⁴⁷

disturbing security and public order." Quoted in al-Hassani, Iraqi Cabinets, IX, 115.

⁴⁶For text of the Ordinance, see Iraq, Compilation of Laws . . . 1954, pp. 176-89; in English, Iraqi Government Gazette, No. 31, July 31, 1955. The former legislation governing the association was the Ottoman Association Law of 1922, which was amended twice in 1926 and 1942.

⁴⁷In accordance with Article 25 of the Ordinance, all parties and associations licensed before the publication of this Ordinance were abolished. The number of associations, clubs, and parties whose licenses were cancelled was 465. The Decree of the Minister of the Interior published in

For forming any association, special requirements had to be met. A request had to be submitted to the Minister of the Interior and signed by at least seven founding members. The Minister might permit or reject the application within thirty days. Moreover, he had the right "to amend, to add or to delete" any article or paragraph of the association's program.⁴⁸

The Minister of the Interior was left with wide discretion to reject an application for forming an association. That is to say, no association could be formed which aimed to "realize any purpose contrary to public order and decency, or prejudicial to public security or national unity; or which aimed to change the present reign or to seek discord and dissension among the public."⁴⁹ This Article was obviously vague in its terminology, and it gave the cabinet power to refuse the formation of any association when the cabinet felt uneasy about its members.

Moreover, the same Article prohibited the formation of any association "whose regulations regarding purpose and aim coincides with that of an association already formed." In this respect, it was hoped to obstruct any tendency to

⁴⁸Art. 6.

⁴⁹Art. 3, Para. a.

establish a multitude of associations and parties.

The Minister of the Interior supervised and controlled all matters and proceedings of associations. To this end, associations had to permit any official appointed by the Minister of the Interior to enter at any time without prior notice the association's headquarters for the purpose of supervision and investigation of all of its records and proceedings.

Associations also were weakened financially because they were forbidden to accept contributions, donations or any other source of income, save their regular membership fees.

With all this rigid control, the existence of any association was dependent solely upon the interests of the Minister of the Interior, who might dissolve any association if:

1. Its decisions and activities were contrary to the purpose for which it was formed.
2. Any of its actions led to disturbances of public security or to public indecency or opposed the execution of provisions of laws or if it used violence or force to compel other to support it.
3. It stored arms in its headquarters.⁵⁰

⁵⁰Art. 17.

The above-mentioned rules abolished the freedom of an association from the time of its formation; consequently, its activities and its existence became increasingly more dependent on the will of the council of ministers. Thus, the Government of Nuri al-Said was able to abrogate the opposition political parties. However, these parties remained active underground in the years from 1954 to 1958.

Press Ordinance No. 24 of 1954.⁵¹--The opposition parties had always protested the rigid rules imposed on the press by the Press Law of 1933, which gave wide authority to the Minister of the Interior to permit publication of a newspaper or to close it at any time. But what the Ordinance of 1954 brought was more stringent control of the political communications in the country.

The Ordinance first cancelled all licensed papers and required new applications to meet the new rules laid down by the Ordinance. As a result, only seven newspapers, including one in English, were allowed to publish.⁵²

The provisions of the Ordinance asserted that any

⁵¹For text of the Ordinance, see Iraq, Compilation of Laws . . . 1954, pp. 193-212; in English, Iraqi Government Gazette, No. 33, August 14, 1955. This Ordinance replaced the Press Law of 1933, which was amended in 1934. For text of the Law, see Abdul-Razzak al-Hassani, Tarikh al-Sahafa al-Irakia, [History of the Iraqi Press] (Baghdad: al-Zahra' Press, 1957), I, 13-24.

⁵²See Appendix III.

paper should have a proprietor and a chief editor. The proprietor should own a printing press or prove his financial abilities. The chief editor should possess at least a college degree. Any application should be accompanied by an amount of cash deposited in the name of the Ministry of the Interior. For daily newspapers, the deposit required was ID 500.⁵³

The press was subject to supervision by the Minister of the Interior, and the license for publication could be nullified and the chief editor be liable for punishment if his paper published news regarded by the Minister as damaging to public security. Every newspaper or magazine was absolutely prohibited from publishing:

1. Any statement or words attributed to the king, his representatives, or the crown prince.
2. The minutes of the parliament and the council of ministers unless approved by the Minister of the Interior.
3. Any criticism of the council of ministers or any official in his conduct of official business.
4. Any secret agreement, negotiation, and so forth.
5. Any assault on the foreign countries with whom Iraq had friendly relations or on agreements concluded with

⁵³Under the Press Law of 1933 the deposit for a daily newspaper was ID 100. One Iraqi dinar equals 2.80 dollars.

foreign countries.⁵⁴

The Meeting and Demonstration Ordinance No. 25 of 1954.⁵⁵--In this Ordinance, any public meeting or demonstration without prior permission from the administrative authority was prohibited. This authority had wide discretion in prohibiting any meeting if it appeared, from its purpose or from connected circumstances, that it would contravene the law. Also the official in charge might disassemble any meeting, although it had been permitted, if the meeting violated its indicated purposes.

Electoral meetings also required prior permission from the administrative authority; however, such a meeting was narrowly restricted to electing a particular person, and the meeting could be attended only by the members of that particular constituency.

The severe penalty for any violator of the Ordinance was imprisonment for a year or a fine of 500 I.D. or both.

The preceding discussion focused on a set of the Ordinances of 1954 which annihilated the remaining freedom

⁵⁴This Article meant to punish the critics of the Baghdad Pact, the Turkish-Iraqi Pact, and the other military agreements concluded between Iraq and her former alliances.

⁵⁵For text, see Iraq, Compilation of Laws . . . 1954, pp. 212-20.

of political participation. These Ordinances, however, did manifest the extent to which constitutional permission for issuing ordinances was misused in order to serve the interests of the ruling elite.

These Ordinances brought a highly significant change in national politics. The leaders of the opposition parties, of the left and of the right, up to 1954 believed sincerely that the struggle for political power could be handled through democratic processes. But the suppression of liberty in 1954 left the opposition parties no choice save to employ methods of violence in their struggle for power. al-Watani al-Demkrati Party made it clear in its statement on September 1, 1954:

The events of the past have proved that tyranny, suppression of freedom, and the enactment of reactionary laws are not helpful in protecting the decaying situation [in the country]. On the contrary, they tended toward the establishment of dictatorship with all its manifestations. Hence, in the end the conscience of the nation will rise again, inevitably, to destroy such a system.⁵⁶

Martial law and the state of emergency

The outstanding constitutional power that both the king and the cabinets enjoyed was the power to declare martial law and the state of emergency in accordance with Article 120

⁵⁶For text of the statement, see al-Hassani, Iraqi Cabinets, IX, 117-19.

of the Constitution which read thus:

Should disturbances occur, or should anything happen indicating the likelihood of the occurrence of events of such character in any part whatsoever of Iraq, or should there be a menace or hostile attack upon any part whatsoever of Iraq, the King shall have power, subject to the approval of the Council of Ministers, to proclaim martial law provisionally in those districts of Iraq exposed to the danger of disturbances or attacks. The application of the existing laws and regulations may be suspended by the proclamation declaring martial law in force, in such places and to such extent as may be prescribed in such proclamation, provided those charged with the execution of the proclamation shall be subject to any legal consequences of their acts, until a special law has been passed by Parliament exempting them therefrom. The method of administration of the places in which martial law has been declared to be in force shall be prescribed by Royal Irada.

This Article was concerned with military or riotous situations in which the cabinet was empowered to restore public order, with the approval of the king, not only by applying physical order, which was part of the executive function, but also to restore order by restraining freedom of actions, by proroguing laws, and giving special power to deal with emergencies.

The Article was sufficiently nebulous in terminology to contain no safeguard against authoritative usage by the cabinet. The opportunity had been available before for the Constituent Assembly to consider the scope and gravity of the Article, but there was little discussion on it. One deputy from Baghdad spoke of the importance of the Article

and suggested that the proclamation of martial law should be made with the consent of parliament, which if not in session, should be summoned within fifteen days to give its approval.⁵⁷

Ja'far al-Askari, the Prime Minister, spoke of the impracticality of having the declaration of martial law pend on the consent of the parliament because such a condition would shift the responsibility of the cabinet and render it to parliament, which would then be responsible for the consequences of the execution of martial law.⁵⁸ It was apparent that the members of the Assembly believed that the cabinet would not misuse this power, since those charged with the execution of martial law would remain responsible until a special law had been passed by parliament to exempt them therefrom..

But the cabinets did not find it difficult to obtain amnesty from the parliament, and therefore, martial law was used increasingly by the cabinets to quell opponents of the ruling elite. The attempt to restrict the power of the cabinet to proclaim martial law failed once again in 1943 when the Constitutional Committee to amend the Constitution

⁵⁷Proc. Assembly, p. 991.

⁵⁸Ibid., p. 999.

overruled any reconsideration for any restriction because the proclamation of martial law was one of the king's prerogatives which should not be decreased during the Regency Reign.⁵⁹

An area declared under martial law became subject to military operations, and civilian laws could be suspended in order to give a free hand to the commanding officer of the martial area to deal with the emergency situation.⁶⁰ The ways of administering these areas were embodied in Ordinance No. 18 of 1935 for Martial Law Administration and its several Amendments.⁶¹

⁵⁹Hussain Jamil, "Martial Law," al-Qadha, XI (October, 1953), p. 6.

⁶⁰In reading any irada which proclaimed martial law, especially those which were issued in the post-war period, one would find the following laws suspended: Procedure of Criminal Trials, Administration for Liwas, Press, Association, Meetings, Civil Service, Disputes of Civil Service, Development Board, and all public service laws as well as Tribal Disputal Regulations.

⁶¹For text, see Iraqi Government Gazette, No. 23, June 9, 1935. This Ordinance was amended four times by the following law and ordinances:

1. Ordinance No. 21 of 1935.
2. Law No. 38 of 1936.
3. Ordinance No. 60 of 1941.
4. Ordinance No. 6 of 1949.

Mr. Jamil argued that the Ordinance, and the same argument may be applicable to its Amendments, was unconstitutional because "the nature of martial law contained amendments to the civil rights of the citizens. The Constitution assigned the details of these rights to be prescribed by law, not by ordinance." Op. cit., pp. 32-33.

According to the Ordinance and its Amendments, both the cabinet and the commanding officer could extend martial law outside the specific areas in which it had been declared in force. This could be done in three ways:

1. The commanding officer of the martial area, whose area of military operation was defined by a specific irada, was authorized by the same irada to declare other "neighboring areas" subject to military operation. "In other words," Mr. Jamil argued, "what the Constitution had authorized the king to exercise through the council of ministers, the power of defining the areas to be subject to martial law, was delegated to the commanding officer of the martial area. Such delegation in itself was unconstitutional."⁶²

2. The power of the commanding officer of the martial area might be extended to:

. . . trial in respect to all offenses in or outside the court martial area, when having connection with or relation to offenses taking place within that area, is within the military court martial's competence but excludes offenses which the commanding officer may order to be dealt with by judicial or administrative courts, each

⁶²Ibid., p. 13. An example of including other districts, not defined by an irada, subject to martial law was the declaration of martial law in 1945 to combat the Barzan Revolt. Though the irada proclaimed Zibbar Qadha subject to martial law, the commanding officer declared the Qadhas of Rawanduz, Amadyia, Dehouk, Aqra, and the center of Arbil Liwa under martial law.

according to its merits.⁶³

The degree of connection between offenses which took place inside the court martial area and those which took place outside the area was left to the commanding officer of the martial area to decide. Bearing in mind the proposition that an army officer must obey and carry out the commands of his superior, the commanding officer of the martial area was always kept in close contact with the Minister of Defence, who directed his attention to the proper ways of carrying out military operations in the disturbed areas. In other words, the commanding officer became directly subject to instructions from the cabinet. Thus, the cabinet influenced the decision as to the kinds of crimes that should be tried by the martial court.

A case in point is one tried on March 22, 1953. The Martial Court in Baghdad sentenced the Chief Editor of al-Nizal, a newspaper published in Mosul, for his article titled "Do Not Disturb the Corruption." In that article, criticism was launched against government corruption.⁶⁴

⁶³Art. 10 of the Ordinance for Martial Law Administration.

⁶⁴For text of the Court's decision, see Review of the Judicial Decisions, I, (May, 1953), p. 17.

There was no connection between the offenses in the martial court area and the article. The failure of the court to point out such connection was subject to criticism from a student of Iraqi Law.⁶⁵

3. Ordinance No. 6 of 1949, amending the Ordinance for Martial Law Administration, extended the scope of offenses to be tried by the martial law court. In this Ordinance the cabinet was placed in charge of pronouncing the types of crimes to be tried in martial courts, whether these crimes took place inside or outside the specified area or whether they had or had not had connection with crimes committed in the same area.

The purpose behind this Amendment was to give the cabinet more power to deprive the civil courts of authority over some offenses more closely related to civil liberties and to place these under the jurisdiction of the military courts. In this case, it relieved both the commanding officer and the martial court of the opportunity of finding a connection between offenses which took place inside the martial court area and those which took place outside the

⁶⁵Professor Kamel Yassin, Professor of Public Law at one time in the School of Law of Baghdad University, questioned the merit of the decision, since the court had failed to point out how far the Article had affected the state of security in Baghdad where martial law was declared. Ibid.

area.

One may conclude that though martial law was declared in one specific area, the normality of the situation in the entire country was strained, and therefore, citizens' freedom and liberty were restricted, since extra power was given to the executive to suspend the civil laws.

Table 4 is designed to show how many times and for how long the country was placed under martial law. The Table indicates that Iraq was under this rigid restriction sixteen times and for a period of about ten years or about one-fourth of the whole Monarchy regime. In other words, during almost half of the period from 1935 to 1958 Iraq was ruled by martial law.

The Table also shows that:

1. In the first fifteen years of the national government, the cabinet resorted only once to martial law and then for only four days.

2. Since 1935 and thereafter the cabinet was more inclined to proclaim martial law. As one proceeds in reading the Table, he will find not only the numerous proclamations but also the lengthy periods in which the country was placed under martial law.

Moreover, the entire country was never placed under martial law before the end of World War II. In this period

TABLE 4

PROCLAMATIONS OF MARTIAL LAW

No.	Prime Minister	Date of Proclamation	Area	Number of Days in Effect	
				Martial Area	All Iraq
1	Yassin al-Hashimi	9/14/24	Zakho and Amadyia	4	4
2	Yassin al-Hashimi	5/11/35	al-Rumyitha	75	75
3	Yassin al-Hashimi	5/25/35	Suk al-Shiyukhs	61	
4	Yassin al-Hashimi	8/15/35	Barzan	76	
5	Yassin al-Hashimi	10/12/35	Sinjar	33	91
6	Yassin al-Hashimi	5/05/36	al-Rumyitha & al-Daghara	82	82
7	Nuri al-Said	3/05/39	al-Rashid Camp (Baghdad)	393	
8	Nuri al-Said	4/04/39	Mosul	129	393
9	Jamil al-Madfa'i	6/02/41	Baghdad and surroundings	1,731	
10	Jamil al-Madfa'i	7/14/41	Suleymaniya Liwa	37	1,731
11	Hamdi al-Pachachi	8/19/45	Zibbar	n.a.	
12	Salih Jabr	5/06/47	Zibbar and Rawanduz	60	60
13	Muhammad al-Sadr	5/14/48	all Iraq	581	581
14	Nur al-Din Mahmud	11/23/52	Baghdad Liwa	312	312
15	Fadhil al-Jamali	12/15/53	Basra Liwa	44	44
16	Nuri al-Said	11/01/56	all Iraq	210	210
Total				3,828	3,597

Source: Iraqi Government Gazette, Passim.

martial law was declared five times, and on two of these occasions the whole country was placed under martial law. Only once was martial law declared to meet a Kurdish revolt, otherwise it was used to subdue disturbances which arose from riotous situations and demonstrations organized by the opposition groups.

Martial law was not declared because there were actual disturbances but rather whenever there was a threat to the privileges of the ruling elite. For example, the strike of the workers of the Basra Oil Company in December, 1953, caused the ruling elite to fear that a strong opposition movement may be developing. The army battalion in Basra Liwa was asked to restore order, and it did so on December 14. The Minister of the Interior in his press conference on the same day announced the restoration of public order but he insisted that the cabinet proclaim martial law.⁶⁶ The government announcement on the 16th attributed the proclamation to the possibility of deterioration of the security situation in Basra. Meanwhile, the cabinet suspended nine newspapers in Baghdad for one year, and submitted the

⁶⁶The statement of the Minister of the Interior was quoted in the petition of the Bar Association to the Prime Minister in which it protested the unconstitutionality of declaring martial law in Basra. The text of the petition published in al-Qadhá, XII, (January, 1954), p. 129.

two newspapers of both al-Watani al-Demkrati Party and al-Istqlal Party to court for trial.⁶⁷

The creation of a strong cabinet in a new state sparks an attempt to overcome the political authority of the old social institutions. In the meantime, it may lead to the concentration of political authority within small groups of politicians who might use the cabinet's power to subdue their opponents.

In their quest for political power Iraqi politicians made the cabinet a shadow of their influence and power. They curtailed the power of the parliament and increasingly used martial law and issued ordinances to satisfy their political interests and to maintain their political power.

Political development in Iraq was hindered by the malpractice of the cabinet's powers by the elite, who left no room for compromise with other political groups, and so the political situation always tended to be unstable in the country.

⁶⁷al-Hassani, Iraqi Cabinets, IX, 52.

CHAPTER V

THE CABINET'S POLITICIANS*

The constitutional arrangement, as we have seen, rendered both the monarch and the cabinet more important politically than the parliament. Generally speaking, the ministers of the cabinet exercised more power and influence than the other members of the Iraqi elite, but only a few of these were the real wielders of Iraqi political power. The rest, though they exercised less influence, continued to be more influential than the members of the parliament or other social or political institutions.

The purpose of this Chapter is to study and analyze

*This Chapter is mainly drawn from the biographical notes about the Iraqi statesmen. The following publications have been consulted in preparing this Chapter and the tables contained in it: Iraq, Ministry of the Interior, The Iraq Directory-1936 (Baghdad: The Times Press Ltd, 1936), Part "The Who's Who of Iraq," pp. 565-607; E. J. Blattner, Managing Editor, Who's Who in Egypt and the Middle East-1950 (16th ed.; Cairo: Imprimerie Francaise, 1950); E. J. Blattner, Managing Editor, Who's Who in Egypt and the Middle East-1957-58 (23rd ed.; Cairo: Imprimerie Francaise, 1958); The Middle East, annual volumes for 1948, 1952, 1955, 1957, and 1958 (London: Europa Publications Ltd.); L. G. Pin, Editor, The International Year Book and Statesmen's Who's Who (London: Burk's Peerage Ltd., 1954).

the character of the Iraqi elite. In doing this it is hoped to provide an adequate understanding of Iraqi politics and to indicate the social and economic changes which have taken place in the society.¹

Social Background of the Elite

Primary occupations

A study of the primary occupations of the elite will reveal their social status and determine the basis of their recruitment.

Table 5 is designed to study the primary occupations of the ministers during the period from 1920 to 1958. The striking feature of the Iraqi cabinet was its composition primarily of publicly employed ministers. The total ministerial posts held for that period were 572--sixty-eight per cent of which went to ministers with public service backgrounds.

The Table shows that cabinets during the Mandate (Cabinets 1-14) contained some representation of landlords, city notables, and businessmen. This fact should not lead to the conclusion that fair representation was extended to these social and economic groups. They were actually recruited

¹Donald R. Matthews, The Social Background of Political Decision-Makers (New York: Random House, 1954), pp. 2-5.

TABLE 5

PRIMARY OCCUPATIONS OF THE MINISTERS

Occupation	Number of the Cabinet												
	1	2	3	4	5	6	7	8	9	10	11	12	13
Public Service													
Military	1	3	1	2	3	1	1	4		1	3	3	5
Civil Servant		1		1			1		2	1	3	3	
Physician													
Educator													
Other							1		1	1			
Private Life													
Lawyer						2	2	2					
Rural Landlord			1	1		1	1	1	2	1	1		
City Notable and Landlord	2	1		1			1	1		2		1	1
Physician		1											
Journalist and Writer													
Businessman	1	1	2	2	1	1	1		2	2	1	1	1
Clergy	2	2	1			1			1				
Other						1							
<hr/>													
Total Public	1	4	1	3	3	1	3	4	3	3	6	6	5
Total Private	5	5	4	4	1	6	5	4	5	5	2	2	2
<hr/>													
Total Known	6	9	5	7	4	7	8	8	8	8	8	8	7
Total Unknown	3		3		2								
<hr/>													
Total Posts	9	9	8	7	6	7	8	8	8	8	8	8	7

TABLE 5--Continued

Occupation	Number of the Cabinet									
	14	15	16	17	18	19	20	21	22	23 ^a
Public Service										
Military	3	2	3	3	2	2	3	4	4	1
Civil Servant	2	3	2	2	4	2		1	1	4
Physician						1				
Educator										1
Other		2			1	1	2	1		
Private Life										
Lawyer			2	2					2	3
Rural Landlord			1	1						
City Notable and Landlord	1									
Physician										
Journalist and Writer										
Businessman	1						2	2		1
Clergy										
Other									1	
Total Public	5	7	5	5	7	6	5	6	5	6
Total Private	2		3	3			2	2	3	4
Total Known	7	7	8	8	7	6	7	8	8	10
Total Unknown										1
Total Posts	7	7	8	8	7	6	7	8	8	11

TABLE 5--Continued

Occupation	Number of the Cabinet									
	24	25	26	27	28	29	30	31	32	33
Public Service										
Military	2	2	2	3	3	1		3	3	2
Civil Servant	2	3	4	3	4	2	3	1	2	3
Physicians				1			1			
Educators										
Other	1					1	1			2
Private Life										
Lawyer				1	2	1	4	1	2	
Rural Landlord						1			1	1
City Notable and Landlord										
Physician										
Journalist and Writer										
Businessman										1
Clergy										
Other	1	1	1			1		1		
Total Public										
	5	5	6	7	7	4	5	4	5	7
Total Private										
	1	1	1	1	2	3	4	2	3	2
Total Known										
	6	6	7	8	9	7	9	6	8	9
Total Unknown										
	1							2		
Total Posts										
	7	6	7	8	9	7	9	8	8	9

TABLE 5--Continued

Occupation	Number of the Cabinet									
	34	35	36	37	38	39	40	41	42 ^a	43
Public Service										
Military	1	1		1	1	2	2	2	3	2
Civil Servant	5	4	4	5	4	3	2	2	5	4
Physician					1	1				
Educator										
Other	1	1	1	1			2	2		1
Private Service										
Lawyer	1			1		2	1	2	2	1
Rural landlord	1				1	1		1	1	
City Notable and Landlord	1							1		
Physician										
Journalist and Writer										
Businessman					2	1	1			
Clergy									1	
Other									2	
Total Public	7	6	5	7	6	6	6	6	8	7
Total Private	3			1	3	4	2	7	3	1
Total Known	10	6	5	8	9	10	8	13	11	8
Total Unknown	1	4	4	2	1		1			1
Total Posts	11	10	9	10	10	10	9	13	11	9

TABLE 5--Continued

Occupation	Number of the Cabinet									
	44	45	46 ^a	47	48	49	50	51	52	53 ^a
Public Service										
Military	1	2	2		1	3	3	1	1	1
Civil Servant	4	3	5	6	3	5	6	4	6	8
Physician				1						2
Educator				2	1			3	2	3
Other		2	1			2	2			2
Private Service										
Lawyer	1	2	2		1	2	3	3	1	
Rural Landlord		1			1			1	1	
City Notable and Landlord	4	1								
Physician					1	1	1	1	1	
Journalist and Writer								1	1	
Businessman		1		1				2	2	
Clergy										
Other										
Total Public	5	7	8	9	5	10	11	8	9	16
Total Private	5	5	2	1	3	3	4	8	6	
Total Known	10	12	10	10	8	13	15	16	15	16
Total Unknown			1	1						
Total Posts	10	12	11	11	8	13	15	16	15	16

TABLE 5--Continued

Occupation	Number of the Cabinet							Total	Per Cent
	54	55	56	57	58	59			
Public Service									
Military	3	2	1	1	2	1	116	22%	
Civil Servant	5	6	7	5	3	5	179	33	
Physician	1	1	1	1	1	1	12	2	
Educator		1		1	3	1	20	4	
Other	1	1			1	1	37	7	
Private Service									
Lawyer	4	2	1	3	2		65	12	
Rural Landlord			1	3	1	2	28	5	
City Notable and Landlord				1			19	4	
Physician							6	1	
Journalist and Writer							2	. ^b	
Businessman	1	1			2	1	38	7	
Clergy							8	1	
Other							9	2	
<hr/>									
Total Public	10	11	9	8	10	9	364	68%	
Total Private	5	3	2	7	5	3	175	32	
<hr/>									
Total Known	15	14	11	15	15	12	539	100%	
Total Unknown	1				1	3	33		
<hr/>									
Total Posts	16	14	11	15	16	15	572		

Note: For the list of the cabinets, see Appendix I.

Explanation: ^aA major reshuffling in the cabinet.

^bLess than 1 per cent.

to represent their ethnic or religious minority groups--the Shi'a and the Kurds.² The lack of efficiency of those ministers recruited only for "ministerial purpose"³ was supplemented by the British advisors placed in each department of the state, advisors who exercised the real power behind the Iraqi ministers.⁴

A change in the composition of the cabinets transpired after the independence in 1932; the ratio of public servants to the privately employed was altered, the former being increased and the latter reduced. Many factors contributed to this change. Competent ministers were needed to replace the incompetent ones since the reduction in the number of British officials placed all the burden on the responsible minister.

²Abdul-Hussain al-Chalabi and Abdul-Muhsin Shlash, Shi'a businessmen and city notables, served on these cabinets alternately.

³This is S. H. Longrigg's apt phrase. Op. cit., p. 229.

⁴The number of British and Indian officials employed in the Iraqi government between 1920 and 1931 were:

<u>Year</u>	<u>No. of Officials</u>
1920	2,906
1923	1,839
1926	474
1929	234
1931	196

Source: Great Britain, Special Report, p. 292.

In addition, the social and economic problems which had remained unsolved in the previous decade, because the Iraqis at that time were occupied with the struggle against the mandate, needed to be resolved now by energetic ministers.

Also, the death of Faisal made it impossible for the various cliques and factions of the elite to work together in one cabinet as they had done under his leadership. The split in the elite resulted in the lack of a sufficient number of ministers to fill the cabinet posts available with each government formed. Hence, any new prime minister was compelled to recruit his ministers from outside the ruling circle--most likely from the bureaucracy which was the only developed sector staffed by personnel prepared for public responsibility. The private sector of the economy remained unable to provide competent ministers because the process of change and modernization had not yet touched this sector; hence, young college graduates could not find a proper place for their training except in public offices.

In the period following World War II the ratio of private occupation increased slightly but still continued to be small. Most of these ministers were lawyers who had previously worked in a governmental department. Meanwhile, the businessmen, merchants, and industrialists continued to have insignificant representation in the cabinets.

Table 5 also provides information about the shaikhs and their representation in the cabinet. The shaikhs were not represented in Cabinets 18 through 28, either because of the unfriendly attitude of the government in power or because of the domination of the army in the political arena. But, after the victory of the Regent and his clique over Rashid Ali friendly relations were soon re-established between the ruling elite and the shaikh class, and subsequently most cabinets formed provided some representation of the shaikhs. Cabinets 41 and 42 gave a post to Muhammad al-Habeeb, Amir of Rabeeah tribes and one of the foremost tribal chiefs in Iraq. Shaikh Rayih al-Attayah, senator for many years, was asked to serve in Cabinets 48 and 58. Moreover, sons of some influential shaikhs were elevated to cabinet posts. These are represented in the Table under their official occupations--for example, law--though they had not resigned from their social status as shaikhs. Arkan al-Abadi from Diwaniya Liwa was a member of Cabinets 51, 52, 56, and 57. Muhammad al-Hardan, son of Shaikh Mushhin al-Hardan of Jezirah tribe of Dulaim, was a member of Cabinets 57 and 58.

The Table indicates that those in the military with a ratio of twenty-two per cent were second to the civil servants. But the military officers to whom the political

authority turned were from the beginning the most influential politicians in Iraq. This group of officers was active in the al-Ahad Society which was formed in 1914 under Aziz al-Masri.⁵ Among the most active officers were Nuri al-Said, Taha al-Hashimi, Ja'far al-Askari, Yassin al-Hashimi, Jamil al-Madfa'i, and Ali Jawdat.⁶ This group associated itself with Faisal in the Revolt of 1915 and subsequently joined his government in Syria and became his confidant.⁷

The predominance of military officers over civilians was due solely to their immense numbers. Not until the early years of the present century did Iraq have real contact with the outside world, nor did Iraqis seek in their own country education either in secular or in missionary schools.⁸ To obtain education beyond the primary and secondary levels until at least 1920 Iraqis had to travel abroad. Because of the

⁵Antonius, op. cit., p. 119.

⁶Lord Christopher Bromhead Birdwood, Nuri al-Said: A Study in the Arab Leadership (London: Cassell, 1959, p. 17.

⁷Rustow, in Almond and Coleman, (eds.), op. cit., p. 434. For a detailed account of the Iraqi officers in the Arab national movement, see Antonius, op. cit., pp. 216-42; Sulayman Faidhi, Fi Ghmrrat al-Niedhal, [In the Midst of the Political Struggle] (Baghdad: The Commerce and Printing Co., 1952).

⁸Longrigg, op. cit., pp. 37-68.

expense of such education, only wealthy families were able to send their sons to Turkey to study engineering, law, and medicine. By 1920 not more than twenty persons had obtained a degree in non-military sciences.⁹ On the other hand, the sons of poor and middle-class families were unable to study abroad, and therefore welcomed the opportunity to study at government expense in military schools. About sixty or seventy Iraqi cadets departed Iraq every year to be trained in military schools in Istanbul.¹⁰

When the national government was established, these officers were in an advantageous position. Their social background, their similar military education and training, their intermarriages, and their former friendships in the Turkish Army, as well as in Faisal's army in 1915 and in Syria in 1919, made it possible for them to work together more harmoniously and subsequently to prevail over the civilians and become the central core of the Iraqi elite.

Both the coup d'etat of 1936 and of 1941, launched against the elite, shifted the representation of the military men. In the Cabinet of the coup d'etat of 1936 (Cabinet 23)

⁹For the list of the Iraqis who studied law, engineering, and medicine in Istanbul before 1920, see Faidhi, op. cit., pp. 57-58.

¹⁰Birdwood, op. cit., p. 9.

only one military officer was included, assigned to the post of Minister of Defence. The Cabinet of Rashid Ali, after the coup d'etat of 1941 (Cabinet 30), did not include any army officers among its members. Also, the cabinets formed after riotous dissensions (Cabinets 41 and 48) did not include among their members more than one army officer. In order to pacify the political agitators who had expressed their dissatisfaction with the elite, these two cabinets were forced to exclude the foremost holders of political power-- the ex-officers of the Ottoman Army.

Level of education

The modernization forces in Iraqi society effectively produced a striking change in the composition of the political elite; subsequently, the educational achievements of the Iraqi ministers were constantly mounting.

Table 6 shows a comparison of the level of education of the ministers who served from 1920 to 1945 and those who served in the post-war period. In the first period there were twenty ministers or twenty-two per cent holding no degree. This number was reduced by half in the second period since no ministers without education were added. In the first period the ministers with no degree were clergymen, city notables, and businessmen who were largely dropped from the cabinet

when King Faisal began to build his political power. The first three Cabinets of al-Gaylani (Cabinets 1, 2, and 3), formed under British influence, contained nineteen ministers altogether, only seven of whom continued to serve in successive cabinets. The other twelve ministers were dropped completely from the political arena.

TABLE 6
LEVEL OF EDUCATION OF CABINET MINISTERS

	1920-45		1946-58	
	Number	Per Cent	Number	Per Cent
None	20	22%	10	9%
High School	2	2	1	1
Military degree	19	21	15	14
College degree	40	44	71	66
Law	26	29	41	38
Medicine	4	4	8	7
Education	-	-	2	2
Economics	-	-	4	4
Political science	2	2	4	4
Other	3	3	4	4
Unknown				
specialization	5	6	8	7
Unknown	10	11	11	10
Total	91	100%	108	100%

In the second period, the composition of the cabinet was characterized by a diminishing number of ministers holding military degrees. Although most of the ex-officers of the Turkish Army were removed from the political scene, since the policy adopted after 1941 was aimed at neutralizing the army,¹¹ a very few new army officers were elevated to cabinet posts.¹²

The two periods had one common feature: the ministers with civic education outnumbered the others. The percentage of members holding law degrees was highest in these two periods--twenty-nine and thirty-eight per cent respectively. However, placing all ministers with law degrees on a level with college graduates should be done here with some reservation. We must bear in mind the fact that the College of Law when it was first established in 1908 was merely a school to provide some legal training for employees of the government. This informal training was conducted for a few months, at the end of which time the employees were granted

¹¹Walid Khalidi, "Political Trends in the Fertile Crescent," in Laqueur (ed.), op. cit., p. 123.

¹²The ministers with military degrees who continued to serve in the cabinets were ex-officers of the Ottoman Army. Only three military officers were elevated directly from the Iraqi Army to the cabinet. These were Said Haki of Cabinet 38, Nur al-Din Mahmud of Cabinet 48, and Hussain Maki Ghamas of Cabinets 51 and 52.

a license in law. In 1920 instruction was extended to two years and in the middle of 1930 the school was set up as a formal college with four years training.¹³ Although it is difficult to distinguish between those who had completed only the training course and those who were graduated from college, the fact remains that, in the two periods, the ministers with legal training outnumbered those with other civic training.

Two factors contributed to the large number of ministers with legal training:

The first factor was rooted in the character and composition of the Iraqi bureaucracy which contributed thirty-three per cent of the ministers. In this bureaucracy the large number of personnel whose training was in law was attributable partly to the fact that legal training was the first field of specialization opened to the Iraqis, whether under Turkish or Mandate regimes, and partly to the type of function the Iraqi bureaucracy was assigned to perform. Generally speaking, the function of the bureaucracy, at least until 1950, was restricted to law enforcement and law application. For this reason, in the recruitment of personnel individuals who had knowledge of law and had legal training

¹³Faidhi, op. cit., p. 41.

were preferred over those in the social sciences and humanities.¹⁴

Second, the legal profession continued to rate high in prestige in spite of the excessive number of graduates from the law schools. A minister, after retirement from his post, while waiting for the opportunity to be selected to a new cabinet, instead of remaining idle preferred to open a law office since it required no capital and no permanent establishment, as any other profession might. Indeed, a former minister who opened a law office had greater opportunity for occupational advancement because his profession involved close contact with government apparatus and the officials who were so easily influenced by his social prestige and former post.

Consequently, the law degree was the one most coveted by Iraqi politicians. A case in point here is that of three ministers who, having already held high degrees in other fields of specialization, entered the College of Law. Abdul-Majid Mahmud, a member of Cabinets 46, 53, and 54, held an M.A. in economics from both Cornell and the University of California. He attended the evening classes of the College

¹⁴W. Hardy Wickwar, The Modernization of Public Administration in the Middle East (Beirut: al-Khayatt Press, 1963), p. 142.

of Law in Baghdad while he was Director-General of the Agricultural Bank. He received his law degree a year before he was appointed a minister. Abdul-Ghani al-Dalli, a member of Cabinets 51, 52, and 53 with an M.S. in economics from London University, entered the College of Law while he was serving in his post as Director-General of the Industrial Bank. Jamal Omar Nazmi, an ex-mutasarrif of Basra Liwa, enrolled in the College of Law while he was a member of the parliament and received his B.A. in law while serving in the Cabinet of Ali Jawdat (Cabinet 56).

With another look at the Table, one should notice that other fields of specialization--such as medicine, economics, and engineering--did not contribute to the cabinets' composition more than fifteen per cent altogether in the first period and twenty-eight per cent in the second period. Physicians only were able to rise to cabinet posts in the early stages of the establishment of the national government. Members of other fields of specialization were not able to secure cabinet posts until the second period, when these colleges were established in the latter stage of the development of the national government.¹⁵

¹⁵Besides the College of Law, other colleges were founded at various times: The Higher Teachers College (1923), The College of Medicine (1927), College of Pharmacy (1936), College of Engineering (1943), the Queen Alliyah College

Information about the place of study of the Iraqi ministers was available for only fifty-one individuals who served in the first period and sixty-four ministers of the post-war period. Table 7 shows that thirty persons, or fifty-nine per cent of the total, attended Turkish schools in the first period. Most of them held military degrees. The number of ministers who studied in Istanbul declined in the second period as a result of the detachment of Iraq from the Ottoman Empire. The government itself did not encourage study in Turkey; hence, for many years Turkey was excluded from the government educational missions as a place of study. This point can be proved by the figures compiled by the Ministry of Education in relation to the educational missions. Between 1920 and 1931 the government sent 201 students on educational missions to different countries in Europe, the United States, and other Arab countries

for Women (now al-Tahreer College) (1946), College of Commerce and Economics (1947), and the College of Arts and Science (1949). Other colleges were established subsequently in the Fifties. Republic of Iraq, Ministry of Education, Development of Education During the Third Year of the Revolution: 1960-61 ("n. p.," 1961), Table 6, p. 9. Two previous attempts made in 1943 and 1945 to incorporate these colleges into a university had failed. Not until 1956 did the University of Baghdad come into existence. For the system of higher education in Iraq, see Roderic D. Matthews and Matta Akrawi, Education in the Arab Countries of the Near East (Washington, D. C.: For the American Council on Education, 1949), Chs. 11 and 12. Also N. Hani, "The Higher Education in Iraq," The Middle Eastern Affairs, VII (April, 1956), 129-32.

TABLE 7
PLACE OF STUDY

	1920-45		1946-58	
	Number	Per Cent	Number	Per Cent
Baghdad	15	29%	25	39%
Istanbul	30	59	16	25
Beirut (A.U.B.) and other Middle East countries	--	--	5	8
United States and Europe	6	12	18	28
Total	51	100%	64	100%

(Cairo University and American University of Beirut). Not one of them was sent to a Turkish school. During the period from 1931 to 1944 there were 445 students sent abroad, and only nine of them were sent to Turkey.¹⁶

In the second period there was an increase in the ratio of those who studied in America and Europe, but this ratio remained small in comparison to the whole cabinet and leads to the conclusion that the majority of Iraqi politicians

¹⁶Iraq, Ministry of Education, al-Takrir al-Sanawi 'an Sayr al-Ma'aref li Senat 1954-1955 [The Annual Report on the Education Progress, 1954-1955] (Baghdad: al-Sa'di Press, 1956), p. 166.

were not in very close touch with Western education and modernization.¹⁷

The Expansion of the Ruling Elite

After the success of the pro-Western politicians in overthrowing Rashid Ali's Government in 1941, dissension appeared among the members of this clique, in particular between Abdul-Ilah and Nuri al-Said to whom the victory was mainly attributed. From 1941 to 1958 this clique witnessed between these two men vicious competition for power. Both imbedded the roots of their power in the surrounding loyal supporters.

Both Nuri al-Said and Abdul-Ilah were limited in their choice of supporters to the small number of politicians who were able to survive the previous struggle for power among the elite. Abdul-Ilah could hardly obtain the endorsement of the old politicians with whom Nuri had surrounded himself. In strengthening his political power, Abdul-Ilah began to

¹⁷The exposure of the elite to the West can be viewed from three angles: place of study, knowledge of foreign languages, and travel abroad. However, the information at hand about the Iraqi elite was not sufficient as far as their knowledge of foreign languages and travel abroad is concerned. See R. Bayly Winder, "Syrian Deputies and Cabinets' Ministers, 1919-1959," Middle East Journal XVII (Winter-Spring, 1963), 35-38.

exercise considerable influence over the formation of the cabinets. These he filled with new faces loyal to him.

The other factor attributed to the expansion of the elite was the social and economic change which took place in the country in the last two decades. This change compelled the government to alter its role in the society and to become a major factor in its development. Hence, the requirement to expand the government to serve the new needs was fulfilled. New departments were created and assigned new functions. The number of departments was raised from six or seven in the early years of the national government to twelve departments in the post-war period. Consequently, the number of ministers in each cabinet was raised from nine to seventeen in most of the cabinets of the Fifties.

The enlargement of the cabinet composition in the post-war is shown in Table 8. In the twenty-three cabinets formed after the war there were seventy new ministers recruited for the first time. Old names kept recurring on the cabinet lists, but the ratio remained small--thirty-seven per cent of the total in contrast to the ratio of new ministers, sixty-three per cent.

Generally, the newly recruited prime minister was inclined to select a large number of new ministers for his cabinet. He found it easier to manage the unseasoned

TABLE 8

THE RECRUITMENT OF CABINET MINISTERS
(1945-1958)

Number of Ministers	Cabinet Number							
	37	38	39	40	41	42	43	
Recruited for the first time	5	6	2	1	4	1	2	
Recruited after 1945	-	-	2	2	-	1	2	
Recruited before 1945	5	4	6	6	9	9	5	
Total	10	10	10	9	13	11	9	

44	45	46	47	48	49	50	51	52	53	54	55	56	57	58
4	5	1	5	5	-	-	9	-	9	2	4	1	4	-
1	2	4	2	1	4	6	5	11	6	8	8	7	11	14
5	5	6	4	2	9	9	2	4	1	6	2	3	-	2
10	12	11	11	8	13	15	16	15	16	16	14	11	15	16

59	Total	Per Cent
-	70	25%
13	110	38
2	106	37
15	286	100%

ministers because they were usually his friends who would readily lend their support. Also, new ministers might not have yet aligned themselves with any of the political factions outside the cabinet, as can be seen in the Cabinets of Nur al-Din Mahmud (Cabinet 48), of Fadhil al-Jamali (Cabinets 51 and 52), and of Arshad al-Umari (Cabinets 38 and 53). Indeed, Arshad al-Umari could only be successful in collaboration with some of the bureaucrats upon whom he personally relied.¹⁸ He selected four director-generals for his first Cabinet, and eight civil servants and one ambassador for his second Cabinet.¹⁹

Cabinets of old prime ministers tended to increase the representation of the old ministers--Cabinets 41, 42,

¹⁸Many politicians found it difficult to co-operate with Arshad in one cabinet because he was known to have a very bad temper and to be a very determined person. Muhammad Haddid, former member of al-Watani al-Demkrati Party, referred to him as the "erratic and unbalanced Prime Minister." "Conditions in Iraq," New Statesman, Sept. 4, 1946, p. 186.

¹⁹The recruitment of the senior government officials to the cabinet was always attacked by many politicians. Muhammad Ridha al-Shibibi, Deputy of Baghdad and a former minister, asserted, "I firmly believe that the fragmentary recruitment of officials and young men to the cabinet since 1941 coincided with a planned imperialist policy. . . . These officials may have succeeded in their administrative career, but they failed as ministers." Proc. Chamber of Deputies, 1947, p. 66, quoted in al-Hassani, Iraqi Cabinets, VIII, 3.

49, and 50. The cabinets of the period from 1954 to 1958 represented a different phenomenon. Many old politicians took a neutral position in the struggle for power between Nuri al-Said and Regent Abdul-Ilah. Nuri al-Said in forming his three Cabinets (Cabinets 54, 55, and 58) did not compromise with other politicians; hence, he included in his Cabinets only his loyal supporters--former members of his party, al-Itihad al-Dasturi, most of whom were ministers recruited in the post-war period.

The expansion of the elite was also accompanied by increased representation of Shi'a in the cabinet. Only in the post-war period were Shi'a politicians assigned to premiership--four of whom formed five cabinets

Shi'a representation in the cabinet

The self-constituted elite were originally the Sunna to whom the political authority turned in the early years of the establishment of the national government. This group was fortunate in receiving its formal education and administrative training during the Ottoman administration.

Meanwhile, the Shi'a, because most of the Turks were Sunna, were excluded from entering school and government services. By the time the national government was installed, the Shi'a, though they had fought for independence, were

unable to share the political power with their counterpart-- the Sunna. The political process was subsequently dominated by the Sunna, who continued to preclude the Shi'a from an equal share in the government even when the Shi'a became able to furnish the cabinets with competent ministers.

In the twenties the Shi'a, frustrated by their status, irrationally refused to participate in the work of the national government. But they soon realized that their refusal to participate in the political process would subjugate them even more to the rule of the Sunna. The Shi'a then strove for education and traveled abroad for higher study, but their share in the work of the national government remained a minor one.

Table 9 shows the representation of Shi'a in the cabinet. In total, the Shi'a did not receive more than twenty-six per cent of the cabinet posts. They were represented by one minister in every cabinet constructed until 1935 (Cabinets 1-21). Though Cabinets 16, 17, and 18 had two Shi'a ministers, the second one was Rustam Hayder, a Syrian Shi'ai whose inclusion was not meant to be representative of the Iraqi Shi'a.²⁰ Beginning with Cabinet 22, the

²⁰Rustam Hayder joined King Faisal's Arab Army and was his counsellor until the Armistice. He accompanied Faisal to the Peace Conference in Paris (1919), came to Iraq with him, and was appointed Chief of the Royal Diwan and

TABLE 9

SHI'A REPRESENTATION IN THE CABINETS

	Cabinet Number													
	1	2	3	4	5	6	7	8	9	10	11	12	13	
Shi'a ministers	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Total ministers	9	9	8	7	6	7	8	8	8	8	8	8	7	
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
1	1	2	2	2	1	1	1	2	4	2	2	2	3	2
7	7	8	8	7	6	7	8	8	11	7	6	7	8	9
29	30	31	32	33	34	35	36	37	38	39	40	41	42	43
2	1	2	3	3	2	3	3	2	3	3	3	4	2	2
7	9	8	8	9	11	10	9	10	10	10	9	13	11	9
44	45	46	47	48	49	50	51	52	53	54	55	56	57	58
2	5	4	3	3	2	3	6	5	5	5	5	5	6	6
10	12	11	11	8	13	15	16	15	16	16	14	11	15	16
59	Total		Per Cent											
5	149		26%											
15	572		100											

Source: This Table was constructed on my own personal knowledge in consultation with Khadduri, op. cit.; and Longrigg, op. cit.

Private Secretary to King Faisal from 1921 to 1931.

number of Shi'a was increased to two because the success of Yassin al-Hashimi in 1935 was attributed to the Shi'a tribal uprisings. Hikmat Sulayman, whose liberal policy was expected to antagonize the Shi'a shaikhs, included two Shi'a in his Cabinet (23) in order to assure the Shi'a of his good intention. In the hope of pacifying the restive segments of the populace as well as the politicians, Jamil al-Madfa'i accepted the cabinet responsibility by forming Cabinet 24 with the idea of pleasing the Shi'a; hence, two Shi'a ministers were appointed.

The Table indicates a higher representation of the Shi'a after the collapse of Rashid Ali's regime. Many factors contributed to the increasing number of Shi'a in the cabinet. The Regent and his clique were thankful for the Shi'a support when he escaped from the army in 1941. Salih Jabr, mutasarriif of Basra Liwa at the time and later to be the first Shi'a prime minister in 1947, was dismissed from office and arrested by the army because he had sided with the Regent in a countermove against Rashid Ali's government.²¹

Another factor attributed to the high ratio of representation of Shi'a in the cabinet was the increase in the

²¹Khadduri, op. cit., pp. 211-14.

number of posts in the cabinet itself as a result of the Second Amendment of the Constitution which allowed the increase of ministers to more than nine.

The Shi'a, in the post-war period, not only increased their representation in the cabinet but they contributed to the cabinet the largest portion of those ministers who held high degrees from European and American universities. With the exception of the ministers with medical degrees from abroad, one finds that among the newly recruited ministers in the post-war period four Shi'ais and two Sunnis held Ph.D. degrees in various fields. There were only four ministers who held Master degrees, and these were Shi'ais.²²

Repetition and Cabinet Instability

The main feature of the Iraqi cabinet was its short life. Between 1920 and 1958 there were fifty-nine cabinets formed by only twenty-three individuals. Each cabinet lasted an average of seven and one half months. A few cabinets lasted little longer than a month, and one cabinet

²²The Shi'a ministers who held Ph.D. degrees were: Fadhil M. al-Jamali (Columbia University), Abdul-Majid Abbas (Chicago University), Dhi'a Ja'far (Birmingham University, England), and Ali al-Safi (---). The two Sunnis with Ph.D. degrees were: Nadim al-Pachachi (London University) and Abdul-Hamid Kadhum (Columbia University). The four Shi'ais who held Master degrees were: Abdul-Majid Mahmud, Abdul-Ghani al-Dali, Abdul-Jabar al-Chalabi, and Abdul-Karim al-Uzri.

only thirteen days.²³

Although the cabinets during the Mandate survived longer than their successors--an average of ten months--their brevity remained a matter of concern to the members of the Permanent Mandates Commission of the League of Nations. The frequency of change in the cabinets was considered possible evidence of "incapacity for self-government."²⁴ While the British accredited representative in the Commission, Major Herbert Young, agreed that the cabinets did change often, he could not agree that this was evidence of political incapacity. He stated that:

. . . it only meant that the public in Iraq have never appreciated the benefits of the mandatory regime. Each government as it took office and attempted to reconcile itself to this regime was attacked for its inability to attain complete independence and gave way to the opposition to let them see if they could do better.²⁵

After the rise of Iraq to statehood, the cabinet changes increased, particularly in the post-war period. From 1920 to 1945 there were thirty-six cabinets, the average cabinet lasting a little over eight months; from 1946 to 1958 there were twenty-three cabinets lasting less than six

²³The Cabinet of Jamiel al-Madfa'i (Cabinet 21) lasted from March 4 to March 16, 1935.

²⁴Foster, op. cit., p. 268.

²⁵League of Nations, Minutes of the Permanent Mandates Commission 19th Session (1930), p. 84.

months each.

The range of instability of the cabinets is illustrated in Table 10. Fifteen of the fifty-nine cabinets lasted less than three months. More than half of the cabinets did not last more than six months; they comprised forty-seven per cent and sixty-five per cent respectively in the first and second periods. The other half of the cabinets lasted more than six months, but only Nuri al-Said's Cabinets 12 and 45 survived for more than a year and a half.²⁶

TABLE 10
DURATION OF THE CABINETS

Duration	1920-45		1946-58	
	No. of Cabinets	Per Cent	No. of Cabinets	Per Cent
Under 3 months	8	22%	7	30%
3-6 months	9	25	8	35
6-9 months	2	5	3	13
9-12 months	7	20	2	9
12-15 months	5	14	-	-
15-18 months	4	11	2	9
18 months and over	1	3	1	4
Total	36	100%	23	100%

²⁶Cabinet 12 lasted one year, six months, and twenty-six days. Cabinet 45 lasted one year, nine months, and twenty-five days.

Although the cabinets changed frequently, recruitment for cabinet posts remained limited to a small circle of individuals.²⁷ Most of these ministers "appeared on the cabinets' list," as Major Young stated, "again and again, though sometimes on different sides."²⁸ Nuri al-Said once told one of his foreign guests that "with a small pack of cards, you must shuffle them often."²⁹ Indeed, in the early years of the national government there were few individuals eligible for recruitment to the cabinet,³⁰ because of the absence of citizens who could ably participate in the public life of the country.³¹ This lack of citizen participation

²⁷George Kirk aptly remarked that the changes in cabinet composition "were merely the reshuffling of a small and narrow group of provisional politicians, well-to-do landlords, and merchants." Op. cit., p. 175.

²⁸League of Nations, Minutes of the Permanent Mandates Commission, 19th Session (1930), p. 84. This observation was made in regard to the cabinet composition under the mandate regime. It would also be correct in describing cabinet composition after the independence.

²⁹Quoted by Wendell Wilkie (without mentioning Nuri al-Said) in his One World (New York: Simon & Schuster, 1943), p. 19.

³⁰Ernest Main, Iraq From Mandate to Independence (London: George Allen & Unwin Ltd., 1935), p. 167.

³¹George Kirk, in his observation about cabinet instability between 1920 and 1935, asserted that "outside [the ruling elite's circle] . . . there was no adequate class from which to draw responsible and public spirited officials, and no substantial body of literate and informed citizens." Op. cit., p. 175.

in the government no doubt led to a "low circulation of the elite."³²

This low circulation of the elite would be better appreciated by finding an average rate of each individual's share in the cabinet's composition. In Cabinets 4-59, there were 546 posts filled by 149 individuals--an average of 3.7 posts for each person.³³ To be more specific, between 1923 and 1945, encompassing Cabinets 4-35, there were 260 cabinet posts staffed by seventy-six ministers--an average of 3.3 posts for each. This rate dropped, however, to 2.6 between 1945 and 1958. In this period there was an increase in the number of ministers--108 ministers--who shared 286 cabinet posts.

This decrease in the rate of individual participation after 1945 suggests that the methods of political recruitment had undergone a change. The basis of political recruitment was extended from a very small number of notable families

³²Daniel Lerner, observing the Syrian elite, found that "the lack of widespread national participation in central government shows in the low circulation of the elite." Op. cit., p. 272.

³³The three Cabinets of al-Gaylani (Cabinets 1, 2, and 3), which had altogether twenty-six posts filled by nineteen individuals, were excluded from the statistics here because, as previously mentioned, they were constructed by the British authority and bore its influence rather than that of the king and his props. It should be noted here that the cabinet posts mean the prime minister, his deputy and his ministers.

and ex-Ottoman officers to new notable families, particularly Shi'a and Kurds, as well as to the shaikh class. On the other hand, the recruitment to the cabinet never extended to the other social strata: middle class, workers, and peasants. However, there were some ministers from the middle class, in particular some Shi'a ministers who were recruited after they had succeeded in their administrative careers.

The modification of the basis of political recruitment in the post-war period should not lead to the assumption that the political elite became an open system. On the contrary, it remained a closed system of elite as stated by J. Harris:

At the top of the country's contemporary³⁴ structure of political and social power are members of the twenty or thirty families who actually rule Iraq and who are closely allied with one another through intermarriage and shared interests. Their limited number makes it possible for them to act with greater unity of purpose than is found in most Middle Eastern elites.³⁵

In the meantime, the real political power within this elite remained in the hands of a small number of politicians, mostly the group of former Ottoman Army officers.³⁶

³⁴The remark was written before the Revolution of 1958.

³⁵Harris, op. cit., p. 306.

³⁶Rustow, in Almond and Coleman (eds.), op. cit., p. 434.

Table 11 shows that twelve prime ministers formed forty-five cabinets, and in total they permeated 123 cabinet posts. Nuri al-Said, who survived until the Revolution of 1958, alone formed fourteen cabinets which lasted for eleven and a half years, and he participated in fifteen other cabinets as a minister--in most of them as Minister of Foreign Affairs, otherwise either as Minister of the Interior or of Defence. In other words, Nuri al-Said partook directly in half of the cabinets. Even during the time he was not in office, he was still a dominant figure in Iraq.³⁷ When he came to power in 1954, he achieved complete victory over the Palace faction, and from then on, as he strengthened the loyalty of his props in power, his faction dominated the political process.³⁸

Apart from Nuri al-Said, the other eleven prime ministers exercised considerable influence in politics. To understand their influence one should take into consideration the number of years during which they exerted their political power. Four prime ministers who belonged to the Palace-Nuri faction served from 1920 and continued until 1958. In addition to these, Abdul-Muhsin al-Sa'dun and

³⁷Time, June 17, 1957, p. 23.

³⁸Ibid., p. 26.

TABLE 11
 REPETITION OF LEADING POLITICIANS IN THE CABINET

No.	Name of Prime Minister	No. of Times Prime Minister	No. of Times Minister	Total Posts	Political Activity	No. of Years
1	Nuri al-Said	14	15	29	1920-1958	38
2	Jamil al-Madfa'i	7	3	10	1920-1958	38
3	Abdul M. al-Sa'dun ^a	4	2	6	1920-1929	9
4	Rashid Ali ^b	4	4	8	1920-1941	21
5	Tawfiq al-Suwaydi	3	7	10	1920-1958	38
6	Ali Jawdat	3	6	9	1920-1958	38
7	Ja'far al-Askari ^c	2	6	8	1920-1936	16
8	Yassin al-Hashimi ^d	2	6	8	1920-1937	17
9	Arshad al-Umari	2	4	6	1933-1958	25

TABLE 11--Continued

No.	Name of Prime Minister	No. of Times Prime Minister	No. of Times Minister	Total Posts	Political Activity	No. of Years
10	Fadhil al-Jamali	2	7	9	1947-1958	11
11	Naji al-Suwaydi ^e	1	7	8	1920-1941	21
12	Salih Jabr ^f	1	11	12	1933-1956	23
Total		45	78	123		

^aCommitted suicide in 1929.

^bLeft Iraq after the collapse of his government in 1941.

^cAssassinated by the leaders of the coup d'état of 1936.

^dDied in 1937 after he had been exiled by the army in 1936.

^eExiled in 1941 and died in 1947.

^fDied in 1956 after splitting with Nuri-Regent faction in 1951.

Ja'far al-Askari belonged to this group but their political activities were terminated by death in the early years of the national government.³⁹ This faction was joined later by Salih Jabr, Fadhil al-Jamali, and Arshad al-Umari. The other faction of Rashid Ali-Yassin al-Hashimi (leaders of al-Ikha' Party) was joined later by Naji al-Suwaydi. This faction was wiped out of existence by its defeat in 1941.

Five of the twelve prime ministers were officers in the Ottoman Army: Nuri al-Said, Jamil al-Madfa'i, Ali Jawdat, Yassin al-Hashimi, and Ja'far al-Askari. The other five civilians came from wealthy families in the cities. Tawfiq al-Suwaydi and his brother Naji, as well as Rashid Ali, came from wealthy families in Baghdad. Arshad al-Umari was descended from an old conservative family in Mosul. Abdul Muhsin al-Sa'dun, a former deputy in the Turkish Parliament in 1914, came from the largest feudalist family-- al-Sa'dun of Nasyria Liwa.

Both Salih Jabr and Fadhil al-Jamali were Shi'ais and came from lower middle-class families. Salih Jabr commenced his career as a competent administrator and was appointed minister for the first time in the Cabinet of Jamil al-Madfa'i (Cabinet 17).⁴⁰ His elevation to power

³⁹Ja'far al-Askari and Nuri al-Said married each others' sisters.

⁴⁰Khadduri, op. cit., p. 261.

came after he had supported the Regent in 1941. Later Jabr became a strong rival of Nuri al-Said; hence, he was excluded from participation in the cabinets after 1950, though he continued to serve in the Senate until his death in 1956. Fadhil al-Jamali, whose elevation to power occurred in the post-war period, continued to serve in various cabinets, but rarely aligned himself with any political factions of the ruling circle.

In conclusion, the Iraqi ruling elite under the monarchy regime invested its political power in the bureaucracy and recruited its members mainly from among the bureaucrats. The private sector was not capable of supplying the cabinet with ministers trained in statecraft.

The expansion of the role of the government in Iraqi society caused this oligarchy to open its door to new members with better training and education--men who had been exposed to the West and its political institutions. However, this new element of the elite hardly produced fundamental change in the political philosophy, most of these new members came from old families as well as from the traditionalist institutions whose vested interests contravened radical social and economic reform. Furthermore, the continuity in office of the old politicians, on command of this

oligarchy, had undermined the role of the new ministers in initiating an independent policy.

The acute struggle for power between this oligarchy and the radical political groups on one hand, and among the members of the oligarchy themselves on the other hand, produced an unstable situation manifested in the frequent change of the cabinet. Thus, the beneficial effect of continuity in the policy of the government was wasted in the power politics of the country.

CHAPTER VI

POLITICAL REPRESENTATION

An authoritative student of the Middle East has keenly observed that "political and social power [in the Middle East] is exercised irresponsibly since there is no effective representation of interests to support or control the expanded power structure."¹

In Iraq the development of genuine and continuous articulation of views and interests was prevented by the enactment of numerous legal restrictions, as we have seen in Chapter IV. Political representation was greatly curtailed by the elite. Parliament was a mere "rubber-stamp" body filled with their political supporters.

The Iraqi self-constituted elite did not believe in the participation of all social and political groups in the political process. They were conservative in their outlook and in their political philosophy which belonged "to a vague

¹Dankwart A. Rustow, Politics and Westernization in the Near East (Princeton, New Jersey: Center of International Studies Monograph, 1956), p. 16.

nineteenth century school of liberalism."² But they were not ready to live up to the spirit of democratic institutions and the principle of government by the consent of the governed "in so far as these things varied from the methods and institutions time honoured under the Ottoman Empire."³

The creation of representative government did not intend to bring all the citizens in close contact with the political process. Hence, the Iraqi parliament, from its early days, was never considered a forum for public opinion.⁴ For the elite, election never meant more than the participation of a few individuals who enjoyed high social status. For example, in 1930 the government forced the election to be carried out in Suleymaniya Liwa in spite of the general boycott. The reason the government gave for holding the election was that "the deputy of the mutasarrif had consulted the notables and merchants whose majority expressed the desire for holding the election, . . . and only a few of the

²Walid Khalidi, Political Trends in the Fertile Crescent," in Laqueur (ed.), op. cit., p. 121.

³Kirk, op. cit., pp. 173-74.

⁴An observation was made in 1926 regarding the Iraqi parliament that it "does not represent public opinion upon matters of general policy in the sense that the British Parliament does, for the single reason that no such public opinion exists." "The Working of the Iraq Parliament," The Round Table, XVII (December, 1926), 35.

notables were inclined to boycott."⁵ (Italics mine.)

The Constitution, though it dealt with the power and structure of the legislature in more detail than it did with the cabinet, made the legislature ineffective and powerless.⁶ The construction of a weak legislature was planned in the early days of drafting the Constitution. The British Acting High Commissioner, Sir Henry Dobbs, in his telegram to the British Colonial Office recommended the establishment of a weak parliament:

In light of experience of other Oriental Assemblies, there is to my mind real danger that irresponsible extremist majority may in early stages of Self-Government seek to paralyze state activities by refusing supplies for essential services. . . . It is therefore essential to have provision for enabling the Executive to carry on.⁷

Parliament was constructed in a rather unusual way. It comprised two assemblies: the upper house, the senate; and the lower house, the chamber of deputies, which was constituted on the assumption that it would control the cabinet. But the senate, which had equal power with the

⁵For text of the government's announcement, see al-Hassani, Iraqi Cabinets, III, 63.

⁶Articles 27-63 dealt with the legislature and Articles 64-67 dealt with the power of the cabinet.

⁷H. R. C. Dobbs' telegraph to the Colonial Office, February 21, 1923. Quoted in Ireland, op. cit., p. 373.

chamber, was appointed by the Crown and was composed of a number of persons not exceeding one-fourth of the total number of deputies.⁸ The cabinet was responsible to the chamber but was not compelled to have a vote of confidence as soon as it assumed power. On the contrary, the cabinet could dissolve the chamber of deputies at any time. The frequent dissolution of parliament and the interference in the elections paralyzed parliament's execution of its duty as a supreme body to check upon the executive.

The Power of Dissolution

The cabinet could dissolve the chamber before its legal term of four years had expired. This power, embodied in Article 26 of the Constitution, was not restricted except that the new chamber could not be dissolved for the same reason as the old chamber.⁹

The debate in the Constituent Assembly showed the fear of arbitrary use of the power of dissolution by the cabinet. Thus, it was suggested that the Constitution should prescribe the conditions under which the cabinet might resort to dissolution, also that the king should obtain the

⁸Article 31. Before the Second Amendment the maximum number of senators was twenty.

⁹Article 40, Para. 2.

consent of the senate before making such a move.¹⁰ Naji al-Suwaydi, in advocating the power to dissolve, agreed that two-thirds of the senators should approve the dissolution before the cabinet proceeded to dissolve parliament. But he could not agree with his colleagues that the conditions under which the cabinet could dissolve parliament should be prescribed in the Constitution. al-Suwaydi argued that "the dissolution of the parliament is an act taken only to meet an emergency which might be beyond the present anticipation of the Assembly. Thus, it can be left to the senate to determine the need for dissolving the parliament whenever the necessity arises."¹¹ No formal proposal was introduced in the Assembly to improve the original draft of Article 26; hence, when it came to a vote, it was adopted by the majority of the deputies.

The cabinet resorted indiscriminately to dissolving the chamber. Between 1925 and 1958 instead of having eight chambers--on the assumption that during the course of thirty-two years Iraq should have eight full-term chambers--Iraq had sixteen different chambers elected as indicated in Table 12. None of them lasted its legal term save the 9th

¹⁰For text of the statement of Umar al-Alwan (Representative of Karbala Liwa), see Proc. Assembly, p. 658.

¹¹Ibid., pp. 661-62.

TABLE 12
DURATION OF THE CHAMBER OF DEPUTIES

No. of the Chamber	Prime Minister Who Held the Election ^a	Duration		No. of Regular Sessions
		Day of First Meeting ^b	Day of Dissolution	
1st	Yassin al-Hashimi	6/16/25	1/18/28	3
2nd	Abdul Muhsin al-Sa'dun	5/19/28	7/01/30	2
3rd	Nuri al-Said	11/01/30	11/05/32	3
4th	Naji Shawkat	3/08/33	9/04/34	1
5th	Ali Jawdat	12/29/34	4/11/35	1
6th	Yassin al-Hashimi	8/08/35	4/16/36	1
7th	Hikmat Sulayman	2/27/37	8/26/37	- ^c
8th	Jamil al-Madfa'i	12/23/37	2/22/39	2
9th	Nuri al-Said	6/12/39	6/09/43	4

TABLE 12--Continued

No. of the Chamber	Prime Minister Who Held the Election ^a	Duration		No. of Regular Sessions
		Day of First Meeting ^b	Day of Dissolution	
10th	Nuri al-Said	10/09/43	5/31/46	3
11th	Nuri al-Said	3/17/47	2/22/48	1
12th	Muhammad al-Sadr	6/21/48	6/30/52	4
13th	Nur al-Din Mahmud	1/24/53	4/28/54	2
14th	Arshal al-Umari	7/26/54	8/03/54	^d
15th	Nuri al-Said	9/16/54	3/27/58	3
16th	Nuri al-Said	5/10/58	7/14/58 ^e	^f

^aThe prime minister who held the election for a new chamber was usually the one who had dissolved the previous chamber.

TABLE 12--Continued

^bThe first meeting was either at the beginning of the regular session or the extra-session as specified in Article 40 of the Constitution.

^cIt met in one extra-session in which thirty-three meetings were held.

^dIt met only once at which time the speech from the throne was delivered, and then it was dissolved.

^eIt was ended by the Proclamation of the Iraqi Republic.

^fIt met once in extra-session on June 6, 1958, on the assumption that it would meet again in its regular session on December 1st.

and the 12th Chambers. This should not lead to the assumption that the cabinets which worked with these two Chambers had respected the constitutional provisions. Nuri al-Said, Prime Minister at the time, explained in the Senate why the 9th Chamber continued its legal term though it supported Rashid Ali's Government:

. . . [The sustaining of the 9th Chamber] was not attributed to anyone save the circumstances. Yes, fortune or misfortune, we were compelled to allow the Chamber to complete its term. It was clear that propaganda outside the country propagated the notion that the present regime is illegitimate. Thus, the best answer to this propaganda was to allow this Chamber to continue its term in order to prove to the outside world that the present regime is constitutional and enjoys the support of this Chamber.¹²

The 12th Chamber survived its four-year term because of the resignation of thirty-seven opposition deputies in March of 1950 which relieved the government from any opposition within the Chamber.

The dissolution of the chamber was often justified either on the ground of establishing harmony between the executive and the legislature or as a direct appeal to the electorals by consulting their views on foreign policy and domestic issues, details of which were never disclosed either before or after the election.

¹²Proc. Senate, 1942, p. 17. Quoted in al-Hassani, Iraqi Cabinets, VI, 137.

Until 1945 the dissolution of parliament never meant more than replacing the opponents of the government in power with its friends and supporters through new election.¹³ Each faction of the elite that came to power used the seats of parliament as political rewards for its supporters as well as punishment for its opponents. This shift in the alliance between the cabinet and parliament can be seen in the number of individuals who returned to each new chamber. (See Table 13.) In the post-war period the dissolution of parliament aimed only at purging the opposition from the chamber or the elite were forced by the street demonstrations to dissolve the chamber.

Relatively speaking, the percentage of deputies who returned in each chamber was never insignificant. The number of returned, however, dropped to the lowest point in both the 7th and 8th Chambers because the government of Hikmat Sulayman managed to elect to the 7th Chamber new faces, mainly liberal and modern-educated young men, though the shaikh representation remained high. These newly recruited deputies, being selected from outside the elite circle, were purged from the new chamber when al-Madfa'i assumed power. Thus, the 8th Chamber was unlike its predecessor and was

¹³Khadduri, op. cit., p. 47.

TABLE 13

NUMBER OF INDIVIDUALS RETURNED IN EACH CHAMBER

No. of Chamber	Number Returned	Total Seats	Per Cent of Returned
1st	--	88	--
2nd	37	88	43%
3rd	32	88	36
4th	30	88	34
5th	43	88	49
6th	37	108	34
7th	32	111	29
8th	29	108	27
9th	44	113	39
10th	62	118	53
11th	48	140	34
12th	62	135	46
13th	69	135	51
14th	74	135	55
15th	88	135	65
16th	97	145	67

filled with the original supporters of the political power of the ruling elite.

In the 10th through the 16th Chambers the number of returned was notable as a result of the seizure of power by the clique of Nuri al-Said and the Regent, which was not interrupted until 1958. Because there was no sharp dissension among the ruling elite, their political supporters did not need to change their political affiliation from one faction to another.

As a result of government interference in the elections an eager candidate did not have to appeal for public support so long as he had secured government backing. In order to keep his seat in the chamber he had to render his support to the government policy; otherwise he could not be re-elected to the next chamber. Nuri al-Said, Prime Minister at the time, stood in the Chamber of Deputies and reminded the deputies of the way they had been elected:

Is it possible, I beseech you, that anyone can be elected a deputy, whatever his status in the country and his service to the State may be, without the government's nomination? I would bid whoever boasts of his position and patriotism to resign now and let us see if that sublime deputy with whatever support may be behind him can succeed to be re-elected short of his being nominated by the government.¹⁴

¹⁴Proc. Chamber, 3rd Session, 1944, p. 21. Quoted in al-Hassani, Modern History, III, 254.

The Electoral Machinery

The rigid control of election by the cabinet was often attributed to the inadequacy of the electoral system itself.¹⁵ The Electoral Law of 1924, which continued to be effective until 1946, "comprised a number of Western procedures imposed upon the old Ottoman system of indirect voting."¹⁶

The system prescribed universal male suffrage and representation according to male population--one deputy for each 20,000 males--registration lists, secret ballots, and representation for minorities. The country was divided into fourteen constituencies--each liwa was considered a separate constituency-- which were grouped together into three main "electoral circles." No circle could elect a deputy from the inhabitants of another circle.¹⁷ The Electoral Law of

¹⁵Ali Jawdat was interviewed in 1938 by al-Hassani and stated that "the parliamentary life had been spoiled in Iraq for two reasons: the Electoral Law and the great number of (eager) candidates (in every election). On the part of the Electoral Law, it gave the government various means for interfering; thus deputation became selective rather than elective . . ." al-Hassani, Iraqi Cabinets, IV, p. 33.

¹⁶Hooper, op. cit., p. 16. In drafting the law and during its discussion in the Constituent Assembly, only the Turkish Law was available to the drafters and the deputies. Proc. Assembly, p. 1106.

¹⁷A proposal was submitted to the Constituent Assembly, but was not approved, that a deputy should be elected only

1946 broke down the liwa constituencies into smaller ones. There were seventy-two constituencies in 1946, each district with at least 15,000 and up to 70,000 male inhabitants was considered one constituency.

Both the Law of 1924 and of 1946 adopted a two-stage system. The first stage was to elect the so-called "secondary electors" who, in turn, would elect the deputies in the second stage.

The list of primary electors--those men eligible to vote--was prepared in each mahallah (zone) or village by a committee of three individuals chosen by the notables of the quarter in conjunction with the mukhtar (the government's agent in the mahallah). Two copies of the list were forwarded to the Head of the Administration who sent one copy to the Committee of Inspection. This committee checked the list and ascertained that it was prepared in accordance with the instructions of the election and with the Law. It also had to decide upon the petitions submitted by individuals whose names were not inserted in the electoral lists.

The Committee of Inspection was elected by representatives of all the mahallahs--five representatives for each mahallah--within each electoral section. It was

from the inhabitants of his constituency. Proc. Assembly, p. 1102.

presided over by the raisbaladiyah (mayor).

The election of secondary electors was held at the headquarters of each electoral section under the supervision of a committee composed of the elders of the mahallah. One member of the Committee of Inspection was deputized for this purpose.

The members of the secondary electors were elected in the proportion of one secondary elector to every 250 primary electors.

On the date and the hour fixed by the Committee of Inspection, the secondary electors presented themselves and were provided with voting papers sealed with the seal of the Committee. The Committee of Inspection called up the secondary voters one after another to vote and to place his paper in the locked box. The box was opened by the Committee of Inspection after all the secondary electors had voted. After the papers had been counted, a statement was drawn up showing the number of votes each candidate had obtained. The statement was then sent to the Head of the Administration who read the statement in the presence of all candidates and the members of the Committee of Inspection. The candidates who received a majority of the votes were announced deputies.

The defects in the Electoral Law of 1924 had been

felt keenly by the government.¹⁸ The many attempts to amend the Law between 1935 and 1943 produced no results. Nuri al-Said took a serious step in this direction in 1943. He ordered the formation of a committee "composed of politicians representing various shades of opinions" to draft a new electoral law.¹⁹ Two weeks later on November 30, 1943, in the speech from the throne the government promised:

. . . to submit to the Chamber a draft for a new electoral law. The draft law is based upon the principles aiming at achieving better representation for all social classes in the chamber. In doing this, it [the government] believes that the people are sovereign and they themselves should command the government.²⁰

In the new draft the committee did not produce basic changes. However, four important innovations were incorporated in the new law: (1) the requirement that the date of election must be announced publicly at a fixed date in advance; (2) the requirement that candidates must announce their candidacy publicly in advance; (3) the establishment of small constituencies--instead of liwa constituencies; and (4) the designation of the court as a proper body to receive

¹⁸The background of revising the two Electoral Laws of 1924 and of 1946 had been summarized by Khadduri, op. cit., pp. 302-306.

¹⁹Ibid.

²⁰For text of the speech from the throne, see al-Hassani, Iraqi Cabinets, VI, 153-58.

and decide upon petitions concerning the election--a function previously assigned to the Committee of Inspection.

But the draft Law was not submitted to parliament until Tawfiq al-Suwaydi, the chairman of the committee which prepared it, formed his government in 1946. Parliament approved the draft on May 27 without much discussion.²¹

The elections to the 11th and 12th Chambers were to be held under the new Electoral Law of 1946. Soon it appeared that the government could still control the elections. A petition in favor of direct election began among the opposition groups and even among some former ministers.²² The uprising of 1952, inspired by the political parties, demanded the adoption of direct election. As a result, the military government of Nur al-Din Mahmud promulgated the Electoral Ordinance of 1952 which put an end to the indirect system.²³

²¹For text of the Law, see Iraqi Government Gazette, June 8, 1946, pp. 1-8.

²²On February 26, 1951, Abdul Karim al-Uzri, ex-minister, presented a motion in the chamber to enact a new electoral law to be based on direct election. Khadduri, op. cit., p. 305.

²³One student of the Iraqi Constitution of 1925 asserted that this Ordinance, unlike other ordinances promulgated by the government of Nur al-Din Mahmud, was constitutional because "the state of emotion of the people [following the riots of 1952] . . . threatened the public order and security." Abdulah I. al-Bustani, "The Constitutionality of the Ordinances," Review of the Judicial Decisions, I (May, 1953), p. 10.

The Ordinance introduced, at least in theory, a marked change in that the candidate came face to face with the electors.²⁴ The candidate had to deposit with the court I.D. 100, which he would lose if he did not receive at least one-tenth of the valid votes. In order to be elected he had to obtain a plurality of not less than forty per cent of the valid votes. If none of the candidates obtained a minimum number of votes, then a run-off, a week after the first election, would be held only among those who had obtained more than ten per cent of the valid vote. At this stage the candidate with the largest number of valid votes became the deputy.

Party Representation and Parliament
in the Post-War Period

The Iraqi elite never organized themselves into political parties to carry on their competition for political power. Only under certain circumstances were they enlisted in parties or political groups, and these died after the motives for such a move had disappeared.²⁵ (For a chrono-

²⁴For text of the Ordinance, see Compilation of Laws . . . 1952, pp. 496f.

²⁵In 1931 King Faisal spoke of the failure of the political parties in Iraq. He told his visitors, delegates from various liwas, the following: ". . . [in Iraq] I found many parties--all of them alike and all with similar programs

logical list of the political parties, see Appendix II.)

The dissatisfaction of the younger urban-educated groups of the elite gave impulse at the close of the war to the formation of five ideological parties.²⁶ These parties believed in employing democratic means in the attainment of their goals.²⁷ But their hopes were ill-fated since the election to parliament continued to be carried out in the old manner. The elite, feeling uneasy about their opposition, prevented their entry into the body of politics.

The election of the 11th Chamber was the first election to take place under the Electoral Law of 1946. Nuri al-Said formed his Cabinet after Arshad al-Umari had failed to hold the election. al-Said announced that his Cabinet would be a "transitional Cabinet" just to carry out the election. In order to show his good intention, he invited both al-Watani al-Demkrati Party and al-Ahrar Party to participate in his Cabinet. The two parties, after thorough

and goals. They differed from one another in the persons leading them. Political parties in Iraq sought to serve the interests of some individuals rather than the country." Faisal's Speeches, p. 301.

²⁶Rustow, in Almond and Coleman (eds.), op. cit., p. 412. The five parties were: al-Watani al-Demkrati, al-Istqlal, al-Ahrar, al-Sha'ab, and al-Itihad al-Watani.

²⁷For example, see Kamil al-Chadarchi's Memoranda submitted to the Annual Conference of al-Watani al-Demkrati Party of 1950. Middle East Journal, XIV (Summer, 1960), p. 322f.

consideration, accepted the invitation and were represented in the Cabinet by one minister each.²⁸ They were criticized by the other three parties (al-Istiqlal, al-Sha'ab, and al-Itahad al-Watani) for their alignment with Nuri, whom they considered the main figure leading the oligarchy. The two parties, however, agreed to participate in the Cabinet only on condition that the government would be neutral in carrying out the election and that constitutional rights would be restored.²⁹

But this coalition between the two parties and al-Said lasted just over a month and a half. The parties accused the government of interfering in the election. Accusations were made particularly against the two ministers of the "Block"--the "Block" was the group of Shi'a politicians within the oligarchy led by Salih Jabr--for using their influence in directing the election toward their own interests.

Also, the issue of restoring political freedom and civil liberties came to a head. Though the political parties were legally licensed to operate in the entire country, in reality they were restricted in the performance of their

²⁸al-Watani al-Demkrati Party was represented by Muhammad Hadid, and al-Ahrar Party by Ali Mumtaz.

²⁹For text of the statements of the two parties on their participation in al-Said's Cabinet, see al-Zaman, November 27, 1946.

duties to their headquarters in Baghdad and were banned from opening branches in other cities. The government considered the opening of a party's branch outside Baghdad as a new political association which should meet all the requirements of forming a new political association prescribed by the Association Law. Nuri al-Said authorized the mutassarif in each liwa to decide separately upon applications to open party branches.³⁰

The political parties disagreed with Nuri on this issue. They declared that such authorization to the mutassarif was erroneous, legally and politically. According to the Law of Association, the Minister of the Interior alone was in charge of making decisions upon applications for opening branches. By no means was he authorized to delegate this power to his subordinates--the mutassarifs. On the other hand, allowing the parties to open branches was the policy of the government in which the two parties had come to participate. Hence, "the high policy of the government," al-Watani al-Demkrati Party asserted, "should not be left to the discretion of the government officials."³¹

³⁰For text of the authorization of the Minister of the Interior to the mutassarifs, see al-Hassani, Iraqi Cabinets, VII, 130-31.

³¹Before the representatives of the two parties submitted their resignations, they exchanged letters with Nuri

The issue of opening branches for the parties was a matter of importance both to the political parties and to the government. The political parties were restricted in their activities since they were unable to organize their members into formal political circles in various cities and towns. From the point of view of the government it was suggested that these political parties should not be allowed to reach the lower strata of the society, the peasants and the workers, because the radical economic and social programs of these parties would easily attract the lower class. On the application to open a branch of al-Watani al-Demkrati Party in Diwaniya Liwa, the Director of the Police of the liwa advised the mutasarraf to reject the application because:

In view of the fact that the Province (Liwa) is one of the more important tribal provinces and the majority of its inhabitants are single people, approval of the application may lead to a disturbance of public security.³²

The failure to reach a compromise on this issue caused the two participant parties to withdraw their representatives from the Cabinet, thus leaving Nuri free to direct the election in the way he wanted. The government's

demanding fulfillment of the promise to restore the constitutional rights of the citizens.

³²al-Ahali (The Organ of al-Watani al-Demkrati Party), January 21, 1947. Quoted in Batatu, op. cit., p. 91.

interference came to public discussion, especially in the press. Accusations were made by al-Ahrar Party that the Minister of the Interior, Nuri al-Said, had convened in Baghdad with the fourteen mutasarrifs and instructed them to carry out the election in favor of the government's nominees whose names were supplied.³³

The government in its reply to these charges did not deny that such a conference had taken place. But these mutasarrifs "were merely invited," the government stated, "to explain to them the complexity of the [new] Electoral Law since it has been implemented for the first time. Also in this conference, views were exchanged regarding the number of candidates in each constituency and which of them would win the election without a contest."³⁴

Both al-Istqlal Party and al-Watani al-Demkrati Party entered the campaign, while the other three parties boycotted it. al-Istqlal Party failed to bring any of its candidates to the chamber, but al-Watani al-Demkrati Party won two seats--one in Baghdad and one in Basra. The party

³³These accusations were made by al-Ahrar Party in its statement of February 19, 1947, which announced the boycott of the election. For text see al-Ahrar (the organ of al-Ahrar Party) February 20, 1947.

³⁴For text of the government announcement, see al-Hassani, Iraqi Cabinets, VII, 147-48.

withdrew them on the day of the first meeting of the new Chamber.

It was understood that the new Chamber would ratify a new treaty replacing the Treaty of 1930 between Iraq and Britain. Since the nationalists had demanded the abrogation of the Treaty ever since 1930, the five parties upheld this demand as a basis for any independent foreign policy of Iraq. In order to block the ratification of the revised Treaty, the five parties met and issued a communique to the people. In it they asserted that the government's interference in the election had produced a chamber which had no right to speak for the people; hence, any treaty passed by the said Chamber would not bind Iraq to respect its obligations.³⁵

Nevertheless, the election produced some beneficial results. The appearance for the first time of political parties in the campaign transferred the discussion of public issues from the private salons of a few politicians to the general public by means of the press and public meetings. Moreover, the parties were able to present to the people some candidates whose platforms promised social and economic reforms.

The election also provided both the elite and the

³⁵For text, see ibid., 150-53.

opposition with an opportunity for compromise. But neither one could see the other's views. According to the elite, the political parties existed only in the large cities and drew their strength from only a few educated people and so did not have the strength to challenge the existing power of the elite. The opposition felt that the elite lacked identification with broader social interests and public policies and that they maintained their power through undemocratic procedures. Unless the elite realized that the competition for political power should be handled by democratic devices, a compromise could not be reached.

In the absence of compromise, the gap between the oligarchy and the parties widened. The opposition increased its political agitation and later embarked on riots and demonstrations against the government of Salih Jabr, which was forced to resign when it concluded the Jabr-Bevan Treaty.

al-Sadr, succeeding Salih Jabr, hoped to pacify the restive citizens. He announced the abrogation of the Jabr-Bevan Treaty, and Parliament was dissolved to meet the demands of the political parties.³⁶

But the triumph of the opposition was short-lived.

³⁶Abdullah Qassab, Min Zhikriyati [From My Memoirs] (Beirut: A'uaiydat Publications, 1962), p. 121.

The Government of al-Sadr declared war against Israel and proclaimed martial law. Hence, the election to the 12th Chamber had to be held at a time when civil liberty had been suspended. Despite the repressive measures the government had taken against the opposition, the latter were able to demonstrate their strength once again by increasing their seats in the Chamber: four seats each for al-Watani al-Demkrati Party and al-Istqlal Party, and two seats for al-Ahrar Party.

Nuri began to realize that the status quo of the ruling elite was being seriously challenged by the newly educated young men who were in an advantageous position. Their articulation and organization in political parties and groups made their action more effective and better unified. The need to co-ordinate the oligarchy into a political organization was then pointed out as essential for providing it with unity of action as well as for putting an end to the opposition agitation, which was designed to discredit the elite by accusing them of being against the parliamentary life.

When Nuri formed his Cabinet in 1949, he began to unify this oligarchy under his leadership. He circulated a memorandum among the leading personalities of the oligarchy as well as al-Istqlal Party. In this memorandum Nuri proposed

the formation of a pact among all parties (only al-Istqlal Party was active at that time) and the leading politicians. The pact would adopt one unified policy. The foreign policy would be based on the realization of the present situation in world politics and the threat of communism to the security of Iraq. In the domestic sphere, it would seek to amend the Constitution by making the people sovereign and to initiate social and economic reforms.³⁷

Neither al-Istqlal Party nor the other politicians could see the benefit of this alliance. Nuri's failure to bring unity to the oligarchy compelled him to form his Constitutional Union Party (al-Itihad al-Dasturi) from among his intimate friends and political supporters.

The party adopted a conservative program.³⁸ In the domestic sphere, it promised to respect the Constitution and to reform the Electoral Law in order to bring real representation of the people to parliament. In the social and economic spheres, it pledged to work for the improvement of the social and economic conditions of the tribes and to work gradually to make them responsible citizens. In this respect

³⁷For text of the memorandum and exchange of letter between Nuri and al-Istqlal Party, see al-Hassani, Iraqi Cabinets, VIII, 93-104.

³⁸See Program of the Constitutional Union Party (Baghdad: al-Rabita Press, 1949).

the miri land was to be distributed among the cultivators of the tribes under which a class of small landowners would come to exist. Meantime, the party's program promised the respect of "all the prescriptive rights of the landlords as prescribed by the existing laws."

Salih Jabr, having realized "his cherished ambition to become a national leader," antagonized Nuri and set to work independently.³⁹ He formed his Socialist Nation Party (al-Uma) which did not differ from Nuri's party⁴⁰ save in the personal differences of the two leaders.⁴¹ al-Uma Party, like Nuri's party, depended heavily upon the alignment of the shaikhs and the traditional politicians. Among the eleven original founders of al-Uma Party were four shaikhs, the rest being large scale landlords. al-Uma's main strength lay in the Shi'a and Kurdish districts, since the president of the party, Salih Jabr, was Shi'a and his vice-president,

³⁹Khadduri, op. cit., p. 301.

⁴⁰Ibid.; also George Lenczowski, The Middle East in World Affairs (6th ed.; Ithaca, New York: Cornell University Press, 1962), p. 282.

⁴¹See Program of the Socialist Nation Party (Baghdad: al-Rabita Press, 1951). This party claimed to be socialistic but this should not be understood as socialist party. "There was," Lenczowski observed, "a tendency in the Middle East to equate progress with socialism, and the latter term was definitely vague." Ibid., p. 283.

Tawfiq Wahabi, was a Kurd.⁴²

The election to the 13th Chamber was the first election to be held by direct ballot. Again, it was held under martial law and the political parties had been dissolved by the commanding officer of the martial court area. The election brought complete victory to the government nominees. Only fifty-seven of the total 135 seats were contested.⁴³ As a result, the seats in Parliament were distributed in the following manner: al-Itihad al-Dasturi Party, sixty-eight seats; al-Uma, eight seats; United Popular Front, eleven seats; and al-Istqlal Party, one seat.⁴⁴ al-Itihad al-Dasturi Party also had heavy support from the forty-eight unaffiliated members of the Chamber.

The resignation of General Nur al-Din Mahmud in 1952 from the Premiership restored the power to the civilians and gave both al-Istqlal Party and al-Watani al-Demkrati Party an opportunity to petition the new Prime Minister, Jamil al-Madfa'i, to lift the martial law and to recognize their status quo--legally established parties. They claimed that the abrogation of their licenses by the commanding

⁴²Ibid., p. 282.

⁴³George Grassmuck, "The Electoral Process in Iraq, 1952-1958," Middle East Journal, XIV (Autumn, 1960), p. 400.

⁴⁴Ibid.; also Lenczowski, op. cit., p. 286.

officer was unconstitutional. Jamiel al-Madfa'i replied to them that the decree of the commanding officer abrogating their licenses was valid, but, nevertheless, he promised to lift martial law and to enact a new law for the association.⁴⁵

al-Jamali was invited to form the new government upon the resignation of al-Madfa'i. The new Cabinet was considered the Regent's Cabinet since the Regent excluded pro-Nuri politicians from it. The new members of al-Jamali's Cabinet were young men more enlightened than their predecessors because they were educated in Europe and the United States. The new Cabinet abolished press censorship and lifted martial law. It also acted quickly on the issue of the legality of the commanding officer's decree which abrogated all political parties. The government referred the question to the Special Commission of Interpretation to elucidate Paragraph 8 of Article 14 of the Martial Administration Ordinance upon which the commanding officer based the decree. The majority of the Commission--one opposed--were of the opinion that the commanding officer was empowered to take any "precautionary measures merely to preserve security." All decrees of the commanding officer were valid

⁴⁵al-Ahali, June 4, 1953.

as long as they were aimed to preserve the security of the state. But these measures would have to be abolished when normality had returned to public life. Therefore, according to the decision, the decree of abrogating the parties was not considered to have terminated the legal status of the parties, which reserved their "status as before the proclamation of martial law."⁴⁶

As the political parties resumed their activities and began to enjoy some freedom, they demanded the dissolution of Parliament. al-Jamali himself, though formerly President of the Chamber, felt the ground beneath him becoming unsteady. With the encouragement of Nuri al-Said, Parliament declined to give its full support to al-Jamali's policy, which sought some social and economic reforms.⁴⁷ Therefore, al-Jamali favored the dissolution of Parliament. The Regent wished to undermine the strength of Nuri al-Said, but in view of the cool relations between them, he was not able to go too far in antagonizing him. At this juncture "a middle of the road decision was made: Parliament would

⁴⁶For text of the Commission's decision, see Iraqi Government Gazette, No. 5 (January 30, 1955), pp. 86-87.

⁴⁷Fadhil al-Jamali's testimony in the People's Court . . . , Vol. III, p. 1097.

be dissolved and the premier would resign."⁴⁸

Also, it was suggested that the new government, under the Premiership of Arshad al-Umari, would be transitional, formed only to hold a new election. Arshad promised the people that his government would be neutral in conducting the election,⁴⁹ but the opposition parties doubted his sincerity. Both al-Watani al-Demkrati and al-Istqlal Parties petitioned the King to relieve Arshad of his responsibility.⁵⁰

Nevertheless, the two parties entered the campaign. They collaborated with the other political groups--peasants, workers, youth, doctors, lawyers, and students--in forming the National Democratic Front. It was apparent that the National Front would not be a temporary alliance to unite the campaign of its components but rather an opposition block in the new chamber. Its platform adopted a long range policy that upheld: (1) the freedom of the press, opinion, meeting, association, and political and economic organization; (2) free election; (3) abrogation of the Treaty of 1930 and any other military agreements; (4) rejection of American

⁴⁸Lenczowski, op. cit., p. 288.

⁴⁹For text of the official statement of the prime minister, see al-Hassani, Iraqi Cabinets, IX, 79.

⁵⁰For text of al-Watani al-Demkrati and al-Istqlal Parties, see Liwa al-Istqlal, May 9, 1954.

military aid and removal of foreign bases; and (5) abolition of the feudal system by raising the standard of living and encouraging and protecting national industry.⁵¹

This election marked a change. Freedom of campaign was granted, at least in the early days. The total number of candidates who had to appeal directly to the electorals for support reached 650.⁵²

Also, the National Front candidates who campaigned on the economic and social reform platforms compelled the candidates of the ruling elite to take national problems to public discussion with their supporters. However, the campaign was conducted mainly in the larger cities where the candidates of the National Front were heavily concentrated.

The government soon showed dissatisfaction with the campaign of the National Front. It requested that for all electoral meetings prior permission be obtained from the administrative authority. This requirement brought the first protest from the National Front, which claimed that many of its candidates had submitted to the administrative authority their requests for organizing electoral meetings, but these

⁵¹For text of the program of the National Front, see Sawt al-Ahali, May 16, 1954, and for summary, the New York Times, May 25, 1954.

⁵²Ibid.

requests had been rejected.⁵³ Hence, the campaign of the National Front had to be carried out "principally through the newspapers and in bargaining between party leaders."⁵⁴

Except for the restriction on electoral meetings, the government did not interfere in the election until the day before it took place, when the order of intervention was issued to prevent the election of the National Front candidates. Thus, as one official put it, the order of interference came so late that "the government tried every way of intervention, legal or illegal, destroying poll boxes, and everything else, in order to win seats for its friends."⁵⁵

The election resulted in the diminution of Nuri's strength; his party lost sixteen seats. The Regent, who brought pressure upon the opposition candidates to withdraw from the race, intended at the same time to reduce the strength of Nuri al-Said. The Regent's maneuver was to bring to the parliament a block of independent candidates who would take orders from the Palace.⁵⁶ Ten vigorous

⁵³For text of the petition of the National Front addressed to the Minister of the Interior, see Liwa al-Istqlal, June 2, 1954.

⁵⁴The New York Times, June 7, 1954.

⁵⁵George Grassmuck, op. cit., pp. 407-408.

⁵⁶The New York Times, June 8, 1954.

deputies of the National Front, six for al-Watani al-Demkrati, two for al-Istqlal, and two unaffiliated were elected.

al-Uma Party won twenty-one seats, while one seat went to the Popular Front.⁵⁷ Nuri could still secure heavy support from the other unaffiliated deputies, who numbered fifty-two.⁵⁸

The National Front, which threw thirty-seven candidates into the campaign, was able to win only nine seats in the three largest cities--Baghdad, Basra, and Mosul. While al-Itihad al-Dasturi lost most of its seats in these large cities, it did win four seats out of eleven in Basra, five out of eighteen in Mosul, but only two out of twenty in Baghdad.

The election, however, was not satisfactory to Nuri al-Said, not because his party lost seats--he could still secure heavy support from the unaffiliated deputies--but because he was aware of the fact that the deputies of the National Front together with the deputies of al-Uma would constitute an outspoken block opposed to his leadership. Fadhil al-Jamali, who mediated between Nuri and Abdul-Ilah

⁵⁷Iraq, Director-General of the Chamber of Deputies, The Report of the Director-General of the Chamber of Deputies for 1954 (Baghdad: Government Press), p. 2.

⁵⁸Lenczowski, op. cit., p. 289.

in the summer of 1954, wrote to Abdullah from London the conditions under which Nuri would return to power.

I conferred with Nuri Pasha and I found him in a very stressed state. He believes that al-Umari's election was not held on a proper basis, thereby he can not cooperate with the Chamber and holds no responsibility towards it. He believes the groups [the deputies of the National Front] who entered the Chamber, such as Kamil al-Chardarchi, will make the work very difficult. He regrets that al-Chardarchi was allowed to enter the Chamber. He believes the dissolution of the Chamber [the 12th Chamber] before the liquidation of political parties and enactment of an anti-communist law was wrong. . . . He hopes to see a chamber composed of one strong party in order to enable him to resume the responsibility of the government.⁵⁹ (Italics mine.)

It was apparent, then, that parliament would be dissolved even before Nuri had met with it. The new election which took place on September 12 was preceded by the issuance of the ordinance which suppressed political freedom and liberty. It was obvious that the new election was intended to purge the opposition from the Chamber. The main manipulators of the National Front disagreed with the policy towards the new election. al-Watani al-Demkrati Party boycotted the election, but al-Istqlal Party entered the campaign. The Popular Front suspended its activities but allowed its members to participate in the election on an individual basis. The leaders of al-Uma Party disagreed over their stand

⁵⁹The letter, dated June 23, 1954, was exhibited in the People's Court. People's Court . . ., IV, 1161.

towards the election. The majority of them sided with Salih Jabr, who was inclined to boycott the election.

The election could hardly be described as such since 110 deputies won their seats without contest. Only twenty-five seats were contested by a very small number of candidates. The election brought only Nuri al-Said's supporters to the front, with the exception of two members of al-Istqal and two members of the Popular Front who were elected as a result of a "gentleman's agreement" with the government "rather than as a result of a genuine electoral struggle."⁶⁰ al-Istqal Party soon disavowed the two deputies claiming to represent it.

From 1954 through 1958 the parliamentary system in Iraq lost its political vitality. Parliament was filled only with Nuri al-Said's props. In the election of 1958 only twenty-seven seats were contested--the rest were filled without opposition. The exclusion of opposition from parliament aggravated the instability of the political situation.

The elite who suppressed the nationalists lost all political support save that of the traditionalists and the shaikhs and so were heavily represented by the shaikhs in parliament.

⁶⁰Lenczowski, op. cit., p. 289.

The Shaikhs' Representation in Parliament

The Iraqi elite maintained its power by calling upon parliament to legitimize its political authority. For such legitimization, it was required that parliament be filled with their political supporters rather than with members bearing a fair representation of the varied economic and political interests of the country. In this respect, the participation of the elite's supporters in the political process, though it might be insignificant, gave them a sense of participation in the work of the government.

Nuri al-Said described the formula under which the election to the chamber had been carried out.

Nominations to the elections are arranged so as to include the names of all former prime ministers, all ministers who were in office more than twice, the presiding officers of the parliament, eminent ex-officials receiving government pensions, distinguished heads of committees, and professional men, tribal chiefs, and so forth. These make up nearly sixty per cent of the Chamber; the remainder depends for the most part on the will of the government in power, though such Iraqis as wish to put themselves forward may also submit their candidacy.⁶¹

This formula, though it was stated in 1946, was hardly followed before 1946 or after because the elections after 1946 were never conducted by the will of the government in power but were influenced rather by both Nuri al-Said and

⁶¹Quoted in Kirk, op. cit., p. 175.

Abdul-Ilah. Moreover, the formula allowed the insignificant representation of the shaikhs while the reality of Iraqi politics provided a marked contrast.

The shaikhs' representation in parliament depended upon their relationship to the central government.

Table 14 shows that in the Turkish Parliament of 1914 Iraq was represented by thirty-four deputies, but only two seats were assigned to the shaikhs, one of whom was Abdul-Muhsin al-Sa'dun, an eloquent politician who lived all his life in cities and was elected to the parliament because of his eminent personality rather than his status as shaikh. Reason for the low representation of shaikhs in the Turkish Parliament was that the young Turks attempted to stamp out all powers other than their own and that they sought to establish direct relations between the government and the tribesmen. They created many shaikhs in each tribe to undermine the authority of one dominant shaikh.

British policy strengthened the shaikhs' power and granted them heavy representation in the Constituent Assembly at the same time that the rivalry between King Faisal and the shaikhs showed a decrease in the number of seats assigned to them. In the four Chambers (Nos. 1-4) under Faisal's reign, the representation of the shaikhs fluctuated between twenty and twenty-four seats. Most of the shaikhs elected

TABLE 14

THE SHAIKHS' REPRESENTATION
IN PARLIAMENT

Chamber	No. of Seats Assigned to the Shaikhs	Total Seats	Per Cent
The Turkish Parliament of 1914	2	34	6
The Constituent Assembly	41	99	41
1st Chamber	24	88	27
2nd Chamber	23	88	26
3rd Chamber	20	88	23
4th Chamber	22	88	25
5th Chamber	19	88	22
6th Chamber	39	108	36
7th Chamber	33	111	30
8th Chamber	43	108	40
9th Chamber	46	113	41
10th Chamber	47	118	40
11th Chamber	59	140	42
12th Chamber	61	135	45
13th Chamber	60	135	44
14th Chamber	55	135	41
15th Chamber	59	135	44
16th Chamber	63	145	43

Source: Figures for the Turkish Parliament were taken from Faidhi, op. cit., p. 37. Figures for the Constituent Assembly were taken from Proc. Assembly, pp. 1131-33. Figures for Chambers 1-16 adopted from Iraqi Government Gazette, passim.

were Faisal's intimate friends upon whose loyalties he depended.

The rivalry between Ali Jawdat's government and the tribes caused the shaikhs to lose their strength in the 5th Chamber. Their representation dropped to the lowest point--twenty-two per cent. Also, the most influential shaikhs were removed from the chamber--for example, Abdul-Wahid Sikkar, the most influential shaikh of Diwaniya Liwa--and were replaced by shaikhs with less prestige and influence.⁶²

The shaikhs were compensated by Yassin al-Hashimi, who assigned to them thirty-six per cent of the seats as a reward for their help in elevating him to power. The shaikhs' participation in parliament, therefore, began to increase in the 8th Chamber and thereafter.

With the amalgamation of the shaikh class in the political process, it began to play an important part after 1941. In the preceding Chapter, we have seen that the shaikhs' participation in the executive remained insignificant during the preceding two decades, and only a few of them had served in the cabinet. The poor representation of shaikhs in the cabinet was related to the fact that the majority of them were illiterate and they were incapable of

⁶²Khadduri, op. cit., p. 48.

running any department of state. Nevertheless, the shaikhs' influence on the executive continued to be strong; some of their sons were elevated to cabinet posts, and because of intermarriage between them and some ministers' families who were originally city dwellers, these young shaikhs were rising to higher social status.

The shaikh class was also strengthened by the increase of their number in parliament to almost half of the seats in the 16th Chamber. This alliance between the shaikhs and the ruling elite provided them with mutual benefits. The shaikhs began to fear the threat to their economic and social interests from the spread of the radical ideologies--communism, socialism, and nationalism. They rendered their support to the ruling elite; in return they received protection of their vested interests. For the elite, the protection of the interests of the shaikhs meant the perpetuation of the tribal organization, under the influence of which most of the nation--the fallahin--would continue to be inactive in national politics. In the meantime, the elite used the shaikhs to check the development of a genuine national movement by creating out of their tribal organizations another center of military power.

On the other hand, the large number of shaikhs in parliament was very significant. They contributed nothing

to the deliberation of parliament since they lacked political education. Thus, the government could manage the chamber easily by using the shaikhs against any possible opposition from the urban deputies. Moreover, the shaikhs stamped their influence on the work of the government. They always supported the conservative policy which protected their vested interests and perpetuated their social organization.

On top of this, the seating of the shaikhs in parliament enhanced their social prestige and, hence, exerted more influence on the bureaucracy. In order to look after their interests, the shaikhs absented themselves from their villages and resided in the cities where they were closely connected with the government officials who often respected and feared the shaikhs and thus yielded to their individual demands.

It was obvious that the large estates the shaikhs owned and the large tribal organization they controlled provided them with the means to control politics. Some electoral districts were completely owned by a small number of shaikhs and hence they permanently supplied parliament with their own deputies. The parliament seats of the four liwas--Kut, Amarah, Nasyria, and Diwaniya--where the larger landholdings were concentrated were always filled by the shaikhs.

It would be very valuable to find the relationship between the actual holding of the land and the representation of shaikhs and big landlords in parliament. But, unfortunately, the information at hand does not reveal the names of the property owners. However, in recalling the study of Doreen Warriner⁶³ which gave a few names of the largest landlords in Iraq, one would be able to see the relationship between landholding and representation in parliament.

Table 15, though it does not reveal information about other landlords, certainly indicates that prior to 1945 their representation in parliament was inconsistent, but it steadied without interruption in all the chambers elected after the Second World War. Muhammad al-Habeeb was elevated to the post of minister and appointed a senator. Mohan al-Khairallah was a frequent representative and then permanent representative in 9th through 15th Chambers. In the 16th Chamber his son took his seat. This is also true in the case of Muhsin al-Jarian. Abdul-Razzak Marjan was never elected to the chamber but he promoted his son Abdul-Wahab who became minister and then formed his first cabinet-- Cabinet 57. The most steady representation went to Abdullah

al

⁶³Warriner, op. cit., pp. 141-42.

al-Yassin; he failed to be elected only twice. Once, he was excluded by Ali Jawdat and the second time, he gave his seat to his brother Ballasim.

Since parliament was subdued by the influence of both the king and the elite, it was not in a position to establish rules for the political process. The cabinet had resorted indiscriminately to the dissolution of parliament--a process aimed at rewarding the supporters of the political authority of the elite. Political representation was never extended outside the upper class.

Political development in the post-war period was marked by polarization of the political forces in the country. On one hand, the Regent and the old politicians supported the traditionalists--the shaikhs. This resulted in the increased representation of the shaikhs in parliament; consequently, their social and political prestige was enhanced.

On the other hand, a new counter-elite matured. These new forces encompassed right, center, and left parties with a common cause--the fight for a recognized place in the political game. But these new forces were unable to reach the major segment of the nation--the fallahin. Their activities were limited to the few individuals residing in the larger cities.

CHAPTER VII

BUREAUCRACY AND SOCIAL CHANGE

Bureaucracy in the developing countries is often invited to perform a critical role in the stages of social transformation in their societies. The major changes in these societies might be unattainable without the intervention of the government. The reason for having governmental involvement in the social change is because the government in these societies "is the only significant social sector willing and capable to assume the responsibility for transformation."¹

Thus the involvement of bureaucracy in the social change provided the bureaucracy with a framework for becoming the center of different types of political activities.² It may constitute an effective part of the executive, in as much as it determines and implements political goals as well

¹Joseph LaPalombara (ed.), Bureaucracy and Political Development (Princeton: Princeton University Press, 1953), p. 25.

²S. N. Eisenstadt, "Bureaucracy and Political Development," ibid., p, 112.

as establishes major policy decisions. Furthermore, bureaucracy tends to be the main instrument of political regulation through which different political interests are aggregated and regulated.

The strong role the bureaucracy enjoys in the process of change may give way to its monopolization of the central political functions at the expense of the other political organs which are still relatively weak. For this reason some students of bureaucracy have expressed their caution "that premature or too rapid expansion of the bureaucracy when the political system lags behind tends to inhibit the development of effective politics."³ This bureaucratic strife for power may be inevitable.⁴

The negative side of the extension of bureaucracy's sphere and influence is the tendency to hinder its rational development as well as to give rise to bureaucratization.⁵

³Fred W. Riggs, "Bureaucracy and Political Development: A Paradoxical View," ibid., pp. 120-67.

⁴Ibid., p. 23.

⁵Professor Riggs brings attention to the need to differentiate administrative development from bureaucratization. Administrative development requires the subordination of bureaucrats to effective political control. Bureaucratization, by contrast, involves the expanding power of officials--not all officials of course, but some--at the expense of non-officials. "The Theory of Developing Politics," World Politics, XVI (October, 1963), p. 165.

Hence, its social and political orientation could undermine its ability to deal with the problems of social changes.⁶ In such a case bureaucracy tends to become a major interest group closely allied with the ruling elite, or it could become totally subservient to them.⁷

In this respect the emerging Iraqi bureaucracy tended to be a passive instrument used by the ruling elite to implement their interests. The administrative apparatus was organized in such a pattern that the political power of the elite was felt in every level of the administrative hierarchy.

The Government Structure⁸

At the center of the governmental hierarchy were twelve ministries--until 1945 there were only nine--which were set up on a functional basis. The cabinet was at the

⁶This type of political orientation of bureaucracy in the emerging countries may contribute to what Riggs has called "negative development." "Economic Development and Local Administration: A Study in Circular Causation," Philippine Public Administration Journal, Vol. III (January, 1959), pp. 56-147. Quoted by Eisenstadt in LaPalombara (ed.), op. cit., p. 116.

⁷Ibid.

⁸For a broader discussion of the Iraqi government's structure, see the writer's Master's thesis, "Local Government in Iraq: A Comparison Study with the French System," (unpublished Master's thesis, Graduate School of Public Administration, New York University, 1961).

top on the assumption that it would serve to unify their activities. Each ministry could carry out the routine function assigned to it by laws and regulations, but pressing political issues were dealt with by the cabinet.

Every agency or bureau belonged to a particular ministry, though it may have been established by a special status to operate as an autonomous agency. Governmental banks and corporations and other quasi-government agencies were often attached to the Ministry of Finance. The powers of these independent agencies were limited by making all the decisions of their governing boards dependent on the approval of the Minister of Finance, or any other minister to whom the agency belonged.

The administrative apparatus was highly centralized. Local communities depended on the actions of the central government. The local self-government, applied since 1869, was patterned after the French local self-government.⁹ The system evolved a hierarchy of both administrative areas and field agents of the central government. In doing that it sought to establish "a down-flowing administrative system through which the highest executive authority could make its

⁹Abdul-Majid Kamouna and Hussain al-Rahal, al-Idara al-Markzia wal Idara al-Mahalia fil Irak [The Central Administration and the Local Administration in Iraq] (Baghdad: Zahid Press, 1953), p. 55.

power felt through the whole hierarchy of local communities."¹⁰

The country was divided into fourteen liwas (provinces). The liwa was further divided into qadhas (counties), and in turn, the qadha was subdivided into a number of nahiyas (districts). These three subdivisions of the country were administered by the agents of the central government. At the apex of the hierarchy, in the center of the liwa, was the mutassarif (prefect) whose appointment was political.¹¹ He was responsible to the Minister of the Interior regarding the work of the whole administration of his liwa. Thus, the pattern of decentralization was not for each functional agency of the central government to deal separately with the administrative area through their field agents but for all the work to be channelled through the mutassarif and his subsidiary agents.¹²

The inhabitants of village and nahiya did not participate directly in the work of their communal affairs.

¹⁰W. Hardy Wickwar, "Pattern and Problems of Local Administration in the Middle East," Middle East Journal, XII (Summer, 1958), p. 251.

¹¹Iraq, Public Service Board, al-Takrir al-Awal li Senat 1957 [The First Annual Report-1957] (Baghdad: Government Press, 1958), pp. 14-15.

¹²Wickwar, op. cit., p. 256.

An administrative council was set up only on the level of liwa and qadha. Its members consisted of some of the central officials who were residing in the field. These officials were to select four distinguished local personalities who would serve with them on the council for a term of two years.¹³ The function of this council was merely consultative with respect to the field agents.

Out of the Law of Administrating the Liwas of 1945 grew the system of local administration. It had brought about the decentralization of some of the central government's business--for example, the administration of the primary schools--passing it "into the hands of autonomous local bodies"¹⁴--General Liwa Councils. The power of these councils was restricted to only those functions enumerated in the Law. Their powers remained ineffective since four of their members were ex-officials of the central government and the president of the council was to be the mutasarrif. The decisions of these councils were not effective unless approved by the mutasarrif.

The local authorities operated "for the convenience

¹³al-Bustani, Notes . . . Administrative Law, p. 145.

¹⁴W. Hardy Wickwar, "Notes on Local Administration Areas and Local Government Units in the Middle East," International Review of Administrative Science, XXIV (1958), p. 148.

of the central government rather than primarily for the benefit of the locality."¹⁵ The local self-government remained meaningless. The bulk of the citizenry were denied meaningful participation in the work of the government. The election procedure for the General Liwa Council had little significance. Furthermore, effective control of developmental programs was retained by the field agents of the central government and these councils lacked significant power for decision-making. Thus, their function became primarily ceremonial.

The weakness of local self-government, however, was by no means a unique characteristic of the Iraqi political system. It is a common phenomenon in all the transitional societies.¹⁶ Two factors attributed to the existence of a weak local self-government in Iraq. First, the rapid social changes of the society and the extension of a modern educational system even to remote villages had caused a deep gap between the new generation who studied in schools and the traditionalists whose values remained untouched. It reinforced the motivations of the majority of the young educated people to emigrate to the cities where they could

¹⁵al-Ameri, op. cit., p. 114.

¹⁶Riggs, in Lapalombara (ed.), op. cit., p. 137.

practice their professions. Raphael Patai observed the dynamics of modernization in the Middle East: "Education in their eyes [the eyes of the villagers] is the open-sesame to city life and to a livelihood earned not with one's hands."¹⁷ (Italics in original.)

This negative side of the social transformation slowed down the development of local self-government. It left the local inhabitants resisting any social reform which might be applied to their locality; hence, the traditional form of self-rule persisted. Also, modern minded officials were unwilling to serve in these communities because they could not find a way to communicate with the traditionalists.

Second, the essential characteristics of the organization and the methods of the Iraqi bureaucracy were provided by the previous practice of both the Turks and the British in Iraq. The administration was initiated in pursuit of the primary interests of both the Turks and the British-- their need for financial resources and for maintaining law and order. This limited function of the bureaucracy resulted in a high degree of centralization in the government.

The Turks behaved as conquerers toward their non-

¹⁷Raphael Patai, "The Dynamics of Westernization in the Middle East," Middle East Journal, XII (Winter, 1955), p. 12.

Ottoman provinces, and they regarded these provinces only as resources for enriching the rulers. Not trusting the non-Ottoman subjects to deal with their community affairs, they concentrated the government authority in the hands of the field agent whose mandate was limited by the ultimate power of the central government. Hence, the French pattern of local self-government was introduced to Iraq in 1867 and was adopted for the sake of the government power and revenue, not for purposes of economic and social development or for training in self-government.

For the British, it was suggested that their administration should be built from the elements on the spot. The British government welcomed the idea to maintain this pattern of government:

. . . partly because it is always easier to rule through the institutions which one finds ready to hand, . . . [and] partly because the hierarchal and centralizing elements in the French system were in some ways analogous to those which had been developed simultaneously in British India.¹⁸

The centralization in the government organization had persisted even after the initiation of the national government since it readily served the interests of the ruling elite. One student of bureaucracy perceived the attitude of the new elite in the new nations as the following:

¹⁸Wickwar, "Pattern and Problems . . .," op. cit., p. 12.

[After the independence] the dominant elite, having gained control in the Cabinet, manipulated the bureaucracy as an instrument of control over local government, giving little more than lip-service to the philosophy of decentralization and local autonomy.¹⁹

Civil Bureaucracy

To understand the nature of the bureaucracy--its informal aspect--the individuals who composed the administrative apparatus should be taken into account because their pattern of behavior put a significant limitation on the work of the formal administration.

The bureaucratic behavior

The Iraqi bureaucracy was composed of three distinct groups of bureaucrats. The first group of bureaucrats included the former functionaries of the Turkish administration. Though they comprised a small portion of all the bureaucrats, they continued to stamp their behavior on the administration. Their own habits and their administrative methods lay in the fundamental political concept of the Ottoman Empire:

. . . Ottoman subjects, their lives, and properties were regarded as existing only for the benefit and glory of the rulers. [Thus] in the nineteenth and early twentieth centuries from the Sultan downwards, every member of the official hierarchy looked on each person lower than him-

¹⁹Riggs, in LaPalombara (ed.), op. cit., p. 131.

self in the seat as providing the wherewithal for his own profit and advancement until the accumulated burden finally rested on the great mass of peasantry and common people who, having no means of resistance, might be maltreated and starved with impunity.²⁰

The Turkish Revolution of 1908 introduced a wider concept of government, but its doctrine of ottomanization produced confusion rather than fundamental change.²¹

The ex-Turkish functionaries could not appreciate the modern bureaucracy which the British government gave to Iraq. Their privileges as well as their influence were undermined not only by the British advisors placed in high positions of the administration but also by the appointment of members of the new generation who were dissatisfied with the Turkish rule in Iraq.

This second group of bureaucrats which generally dominated the government departments until the end of the Second World War was often unschooled and inadequately trained. Their recruitment was not based on their qualifi-

²⁰Ireland, op. cit., p. 77. For more exposition of the concept of government of the Ottoman Empire, see H. A. R. Gibb and Harold Bowen, Islamic Society and the West, Vol. I, Part 1, pp. 156-60 and 204-16.

²¹"This doctrine [Ottomanism]," Elie Kedourie comments, "was artificial and had no roots in the country. It could appeal to nobody's loyalty, which went, as before, to the family, the clan, and the religious community. Ottomanism had another drawback. It tried to justify Ottoman power to Ottoman subjects with reasons that could easily be evoked in order to justify . . . the overthrow of this very power." Op. cit., p. 60.

cations for office but rather on the need to fill the various posts in the governmental departments and echelons as a result of the departure of British officials and the expansion of the government activities.

These new bureaucrats did not change their old habits or their traditional values. Being recruited on patronage and favoritism, they abdicated their freedom of action into the hand of their traditional and political leaders. They did not believe in the welfare of the community as much as in their own personal advantages and narrow personal interests.

The third group of bureaucrats was the newly educated modern young men. With growing modernization came the increasing impact of the development of new social, economic, and political goals which caused the bureaucracy to extend the scope of its activities and to recruit new personnel. (See Table 16.) These newcomers were mostly modern in their education and secular in their outlook, although the traditional habits and values persisted as outstanding features of their behavior.

The relations between the three groups of bureaucrats were not always easy. Distrust and jealousy prevailed among them, particularly between the third group of bureaucrats and the other two groups. The modern bureaucrats, whose

entry to the civil service came in a later stage of the development of the bureaucracy, were discontent with their inferior ranks--the top ranks in the administrative hierarchy were occupied by the old group of bureaucrats.

TABLE 16
NUMBER OF OFFICIALS IN TABLE "Q"^a
FOR SELECTED YEARS

Year	Number of Officials
1935	7,144
1940	10,754
1943	12,456
1945	15,259
1948	17,145
1949	17,945
1955	19,647
1957	19,595

^aTable "Q" includes all permanent civil officials who were entitled to pension compensation. Army officers, temporary employees, and individuals employed with quasi-government agencies were not placed on Table "Q".

Source: Iraq, Ministry of Finance, The General Budget, passim.

Furthermore, the new bureaucrats were discontent with the existing distribution of social and political power. Their sense of belonging was far from an abdication of their loyalty to the political system. The causes of their frustration were multiplied by their social isolation which they

sensed alienated them from their fellow countrymen.²² Consequently, they were unwilling to accept government assignment outside the large towns, or even outside Baghdad because it was the only city which could provide them with spiritual satisfaction. This concentration of modern bureaucrats in Baghdad caused an overstaffing in the central departments. Thus, a strong tendency for centralization was created in the work of the government.

Needless to say, the presence of modern bureaucrats did not rationalize the Iraqi bureaucracy. On the contrary, the non-rational patterns of administrative behavior were institutionalized within the bureaucracy.

Favoritism and corruption were common features of the Iraqi bureaucracy. Those who could not find official support for appointment might find another way through bribery.

Hence, Iraqi officials and political figures surrounded themselves with loyal supporters; extra-bureaucratic and kinship interests found way to influence the government work. Appointment to office was determined by various factors; besides the political factors, officials used the power to select those on whom they could depend--

²²Halpern, op. cit., p. 345.

relatives, friends, and fellows from the same town, sect, or religion. Thus, individual accomplishment and merit were disregarded whether in appointment or in promotion. Those who had been educated abroad and came from influential families were given top administrative jobs. Those who had graduated from Iraqi colleges were appointed to less important posts, unless they had good family backing.

Every individual hoped to send his son to school to become a government employee. This was because the government job was considered a highly prestigious and secure one. It was secure because the disciplinary codes were almost dead letters. Incompetent and corrupt officials whose services were no longer desirable might only be punished by being placed on the pension list.

The government job was prestigious because the civil servant was in close contact with the powerful and he earned more money than most, though his salary remained inadequate to meet his modern style of living.

The prestige of civil servants was manifested in different ways. From the supervisor on up each had a separate office and a farash (doorman) to serve his needs. The farash did not allow a stranger to enter the room before consulting his superior. Even those who were allowed in found it impossible to draw a chair close to the official

to discuss their official business unless they knew the official well or had high status in the society--shaikhs, religious leaders, military men. In connection with the job's prestige, an official was expected to be greeted by the people with respect. He was angered if he was called by his first or last name. The Turkish titles, beg and pasha, though these titles were abolished in 1936, continued to be used in calling upon a functionary.

Part of the administrative behavior was the excess of formality and red tape, long delays in carrying through private applications, and the concentration of authority on the top. This resulted from the failure to delegate authority to subsidiary officials and a general lack of courage and willingness to accept responsibility. Thus, the duties of the lower ranking officials proved to be routine only. Every minor order or action had to go to the top for final approval; in the meantime, it had to go through all the channels of the hierarchy and every official had to put his signature on it.

The nature of the formal bureaucracy

The basic personnel law for the civil servants was passed in 1931. It was replaced by the Laws of 1939 and 1956. The failure of the Law of 1939 to meet the interests

of various professionals of the government resulted in the enactment of special laws for the following services: foreign, judicial, medical, teaching, police, army officers, and the railroads and engineering.²³ All these separate laws did not tend to rationalize the personnel system in the country. They only aimed at increasing the salaries and providing special benefits for the officials covered by these laws. Pressure from other government services and professions which constantly demanded enactment of special laws caused the government to realize the need to unify all these laws into one law--the Unified Civil Service Law of 1956.²⁴

Prior to 1956 the concept of an effectively applied merit system as the basis for the civil service was not formalized. In the absence of a central personnel agency to provide the various ministries with efficient personnel, the hiring of government employees was more or less the prerogative of each minister who rewarded his friends and

²³The dates of enacting these Laws were as the following: The Foreign Service (1943), Judiciary Service (1945), Medical Service (1947), Teaching Service (1951), Engineering Service (1952), and Railroad Service (1952). In addition to these the Army Officers Service was enacted in 1938.

²⁴Public Service Board, Report . . . 1957, p. 2. However, the Unified Service Law excluded from its jurisdiction the services of army officers, police, jurists, and all temporary employees.

placated his "enemies through government employment."²⁵ This was in spite of the fact that these ministers and high ranking officials had already formally committed themselves to procedures for filling appointments by impartial rules and examinations. "It appears," William Brownrigg offered in his report to the government on the conditions of the Iraqi civil service, "to be generally understood that nepotism and other forms of favoritism have in the past, at least, often strongly influenced if not controlled the selection of government workers both for original appointments and for promotions."²⁶

Promotion was automatic, based on seniority rather than on performance. It was merely increases of pay and pay grade, rather than advancement to position of greater authority and responsibility.

A system of position classification never existed. Government positions were never classified according to their duties and their responsibilities. The Cadre Law of 1940 listed some 200 odd "designation of appointments," largely for principle administrative positions. These corresponded

²⁵Halpern, op. cit., p. 341.

²⁶William Brownrigg, "The Requirements for an Effective Civil Service in Iraq," Report submitted to the Iraqi Government on the state of the civil service (United States of America Operations Mission to Iraq, 1954), p. 6. (Mimeographed.)

in a way to class titles but nothing in the nature of class definitions, or statements of duties and responsibilities, or qualification requirements were available for essential uses in personnel administration.²⁷

Salaries were not paid upon the basis of duties and responsibilities of the work performed by the employees. It was based rather upon the formal educational requirements. This practice, incompatible with the principle "equal pay for equal work," created innumerable inequities and injustices among the employees which in turn created apathetic attitudes, or even total disinterest, in the work to be performed and resulted in deplorably low employee morale.

The pay scale placed the average civil servant's earning far above the average per capita income in Iraq. Yet it remained insufficient to meet all the necessities to support himself and his immediate family. Between 1939 and 1956 the cost of living rose 500 per cent, but the salaries of middle and upper government employees rose only fifty per cent, and for the officials in the lowest positions the increase came to about 160 per cent.²⁸ Hence, officials

²⁷Ibid., p. 7.

²⁸The International Bank for Reconstruction and Development, The Economic Development of Iraq (Washington, D. C.: Johns Hopkins University Press, 1952), p. 78.

were compelled to take on a second job, equally uninspiring, while their negligence of their official duties became evident.

The Iraqi bureaucracy was always criticized for its inefficiency.

It appears certain, . . . the interest and morale of the government workers are not as high as they should be. Moreover, it is fully alleged that many of the government workers are incompetent and/or lazy, and as a result there is heavy over-staffing. It appears to be certain that many of the workers are not well qualified either by education or experience for the work they are assigned to do. Many others are not engaged in the kinds of work they are best qualified to perform.²⁹ (Italics in original.)

The Iraqi bureaucracy was at once over-staffed and under-staffed. It was under-staffed in many skilled positions. Development in agriculture and industry had created shortages of engineers, doctors, and other professional skills which Iraq was unable to produce at home or to educate abroad. In the meantime, colleges continued to turn into the market a surplus of lawyers, accountants, and other graduates from liberal arts colleges. Between 1950 and 1955 about 4,000 students graduated from colleges of law, commerce, and arts and sciences.³⁰ But there were few jobs open for them in the government and even fewer in private business;

²⁹Brownrigg, op. cit., p. 9.

³⁰See Appendix X.

hence, only 1,250 of them secured employment with the government or business.³¹

It was also under-staffed in the high positions. The government figures of 1957 showed that 414 individuals filled the high grades in the hierarchy (among them a large number of university professors and doctors), while there were over 19,000 employees crowded into the lower ranks.³²

The rationalization of the bureaucracy

The Iraqi government tried to cope with the defects of the administration. With the help of the Point Four Program, Mr. William Brownrigg was assigned to study the existing personnel system.³³ His recommendations to the government mostly emphasized the introduction of a merit system, position classification, creation of a central personnel agency, adjustment of the salary scales of the civil servants, and development of a broad program for training.

Some of these recommendations were adopted in a draft law prepared in 1954 and submitted to the council of

³¹Halpern, op. cit., p. 65.

³²Iraq, Ministry of Finance, The General Budget-1957 (Baghdad: The Government Press, 1957), pp. 161-62.

³³Much of the following discussion was adopted from the Public Service Board, Report . . . 1957, pp. 2-5.

ministers. Yet it did not propose many changes in the old practices of personnel administration. In this draft, recruitment and promotion were to be made by a departmental committee of five high ranking officials. Upon criticism from various departments and public figures, the Ministry of Finance asked for the withdrawal of the draft law from the council. A new committee was then formed in the Ministry of Finance to prepare a new draft law. Preliminary suggestions were put forth by the Minister of Finance to advise the committee on its work. These suggestions were: (1) establishment of one scale of salaries based on educational achievement for all government employees; (2) abolishment of the cost of living allowances and an increase in the basic salaries; and (3) creation of an independent personnel agency. This agency would be in charge of enacting rules and regulations governing the detailed operation of the personnel system, serving as a watchdog over its administration, and investigating the need of creating new posts or abolishing the unnecessary ones.³⁴

The Unified Service Law of 1956 failed to embody all these suggestions. Yet the most significant development over the old methods was the prescription of the merit system

³⁴For text of the letter of the Ministry of Finance, see ibid.

as the basic principle for the conduct of the civil service policy and administration. In this direction a central personnel agency, the Public Service Board, was established to undertake the administration of some segments of personnel administration--recruitment and promotion. The limitation of the authority of the Board made the attempt to rationalize the whole personnel system fail. The Public Service Board critically wrote in its first annual report of its limited power:

The aim to raise the level of the government machinery has not been realized because the jurisdiction of the Board has been limited to recruitment and approval of promotions. Newly recruited personnel do not encompass more than a small portion of the total government employees. Authority over this small group without jurisdiction over those already employed makes reform impossible, whatever method is used in selecting the new employees. As soon as the new employee enters the old group he amalgamates with it. Therefore, efforts to reform the old machinery should accompany the merit system applied to new appointees. To achieve this end periodical training seminars should be opened to the old employees. Furthermore, studies should be undertaken to overhaul the government positions and its agencies to determine their needs in light of the social change. Unless the government machinery is reformed, it will tend to deteriorate; such a result should be avoided. Therefore, it is necessary to put into action the recommendations of the Minister of Finance which meet the above needs. The Board has already proposed the amendment to the present Law, . . . but it has failed to persuade the government to move in this direction.³⁵

Recruitment to the service became subject to the

³⁵Ibid., pp. 13-14.

passing of written competitive examinations, interviews, or both conducted by the Public Service Board.³⁶ Emphasis on merit was explicitly spelled out in the case of promotion. Together with the length of service, it was given priority over educational qualifications, save in positions where specialized training was imperative.³⁷ It was also conditioned by a satisfactory review of the Public Service Board and by the availability of an appropriate opening in the proposed level. The procedure adopted for this purpose was that a committee was set up in each department where it reviewed all eligible employees for promotion to the vacant post.³⁸ The committee's recommendation was then referred to the Board for its final approval.

With the introduction and enforcement of the merit principles on the case of recruitment and promotion, nepotism and favoritism were greatly reduced. The constant pressure

³⁶Art. 27, Para. a of the Unified Service Law stipulated "the duties of the Public Service Board . . . to test personal qualifications and aptitudes for appointment . . . by way of competition in written examination or interview."

³⁷Art. 16. "The selection of officials for promotion shall be on the basis of merit and length of service irrespective of educational qualifications; merit to be particularly emphasised in high positions, except in teaching, engineering, medical, and other professional posts where officials must possess appropriate degrees."

³⁸For detail discussion on the procedures for promotion, see Public Service Board, Report . . . 1957, pp. 30-33.

and annoyance to which political leaders and higher officials were previously subjected by job seekers and their patrons were considerably curtailed.³⁹

The brief discussion thus far has concentrated on some of the reforms of the personnel administration. The extension of modern education to every social group and strata in the society made higher education no longer the privilege of the wealthy class.⁴⁰ Thus, the bureaucracy was provided with a broader social setting from which to recruit its manpower. With the attempt to rationalize the bureaucratic apparatus, bureaucracy may disengage itself from the ruling elite who have constantly manipulated it and used it as a passive instrument to serve their political interests.

The control of the bureaucracy

It has been suggested that the Iraqi elite would like to effect the transformation of the mixed political system to a more rational one, primarily through manipulation

³⁹Brownrigg stated that the patronage system was not helpful to the politicians "because every position they succeed in securing for a job-seeker creates one political ingrate, and twelve political enemies." Op. cit., p. 38.

⁴⁰See Appendix IX.

of the bureaucratic apparatus. The means of control varied. Administrative centralization focused on the council of ministers enabled closer control of both the cabinet and the king. Supplemental developments moved toward the establishment of patterns of relationships which could reinforce and, if need be, supersede the network of formal authority. These relationships were established on two bases: familial kinship and political favor and dependency. The elite relied heavily on the support of their relatives who were placed in the upper echelons of the administrative apparatus. Also, ministers were often reappointed to high posts in the government when they had retired from the cabinet. This was manifested more in the first two decades of the national government than in the decades following.

Within the bureaucracy political support to the regime had been provided by the small corps of relatives of the elite and ex-ministers who were placed on the top of the administrative hierarchy. Informal influence, exercised by both the king and his supporters, found ground in the work of the bureaucracy. Some of these top officials may have been deemed more important to the regime than a minister. Fadhil al-Jamali, in his speech in the parliament in 1956, said:

I need not remind you that the director-general used to

command considerable responsibilities in the past. It was not possible to transfer him for the council of ministers used to be shaken whenever a director-general was proposed for transfer. A minister used to resign when his request for the transfer of his director-general was refused. I remember once, when I was director-general, I had a disagreement with my minister who proposed my dismissal. The prime minister went to the Royal Palace and asked: 'Shall we remove Fadhil or the minister?'⁴¹

The elite's control over the bureaucracy through securing its key personnel had been oftentime illustrated by the elite's attempts to restrict the high positions to those on whom they could rely for support. King Faisal I suggested that a special school be set up to train personnel for the high posts. Only sons of families of wealth and prestige were to be admitted.⁴² But this proposal was never put into practice. Some of the responsible politicians and administrators claimed that they opposed the idea because limiting government jobs to only a few social classes was incompatible with the democratic system of government.⁴³ The idea of establishing the school was never seriously considered because both Faisal and his supporters at that

⁴¹Fadhil M. al-Jamali, Min Waqiya' al-Siyasa al-Irakia [From the Reality of the Iraqi Politics] (Beirut: Dar al-Kashaf, 1956), pp. 71-72.

⁴²Faisal's Memorandum in al-Hassani, Modern History, p. 4.

⁴³al-Jamali, op. cit., p. 74; also al-Suwaydi's statement in the senate as quoted in al-Hassani, Iraqi Cabinets, X, 75.

time were more in need of military strength and support than bureaucratic control.

When the elite gained control over the army they became keenly interested in winning the support of the top personnel in the administration. The Unified Service Law of 1956 exempted all officials in the top ranks from the rules of the merit system. Their appointment, reappointment, and promotion was highly considered politically.⁴⁴

Relatively speaking the high bureaucrats became loyal to the regime because they had their own vested interests interlocked with those of the elite. The process of recruitment to the cabinet, which more often favored the bureaucrats, reinforced their motives for promotion to the cabinet rank. Arshad al-Umari addressed a crowd of officials in the court of the council of ministers when he was chosen for the first time to serve as Prime Minister:

My official brothers, many times I have come to this Court with you as an official to watch ministerial ceremonies. I have attended many of these ceremonies and now I have reached this position. The door is still open to you.⁴⁵ (Italics mine.)

Finally the role of the army in the political process and the frequency of declaring martial law placed a heavy

⁴⁴Public Service Board, Report . . . 1957, p. 14.

⁴⁵For text of the speech, see al-Hassani, Iraqi Cabinets, VII, 89.

restraint on the executive power of the bureaucracy. On top of everything else, the persistence of the old traditional organization, the tribal system, checked the development of any other strong power in the political system.

But was the control by the elite over the bureaucracy in itself enough for them to maintain their political power? It had been felt that the control over the bureaucracy should be accompanied by an increase in its effectiveness and efficiency. In this way public support would be furnished to the regime. Corruption of the government machine opened the elite to criticism and they were always linked with some scandels of corruption. The inefficiency of the bureaucracy breded distrust in its ability to effect social transformation. Fadhil al-Jamali likened the bureaucracy to a "well bucket" with which land was to be irrigated. If the bucket was full of holes it would bring little water to the thirsty land. Hence:

. . . one of the first duties of government is the consideration of its machinery for the people are like the thirsty land, they need service. They need service through a modern machine built upon continuity, strength, specialization, fidelity, and straightforwardness.⁴⁶

The introduction of the merit system was a welcome step towards creating an efficient bureaucracy. But such

⁴⁶al-Jamali, op. cit., p. 71.

efforts of rationalization were never smoothly enforced or accepted particularly when the interests of the politicians themselves had been jeopardized. In this respect it is worth mentioning that in 1956 the government of Nuri al-Said was able to promulgate the Law of Cleansing the Administration under which a committee was established from among the high ranking officials and jurists to investigate the conduct of the government officials. Article 6 of the Law enumerated the non-ethical behavior of government employees to include "immorality, bribery, and the employment of official influence or utilization of position opportunity for personal gain." The committee was authorized then to separate or dismiss for not less than three years nor more than five years any official whose non-ethical conduct had been proven.

The members assigned to serve on this committee were highly respected officials who were well-known for their straightforwardness and honesty.⁴⁷ This gave the committee assured public support for its work. The committee was vigorous and bold in its investigations which were heavily concentrated on the high ranking officials. Within a year the committee dismissed 317 officials, among them nine

⁴⁷Information on the work of the committee is based on my own personal knowledge.

mutasarrifs, about one hundred police officers, and a large number of director-generals.

The terms of reference of the committee did not allow any influence of the government in its work. Thereby many of the politicians expressed their dissatisfaction with the decisions of the committee since their friends and relatives as well as their political supporters were the most affected. Within the Cabinet of Nuri al-Said, Khalil Kanna, the minister most favorable to Nuri, interfered to stop the dismissal of the mutasarrif of Diala to whom he was related. Having failed to influence the members of the committee, he convinced the Cabinet that the term of reference of the committee should not be renewed for an additional year as prescribed by said Law, in spite of the recommendation of the committee that its work had not been finished. Meantime, the Cabinet prepared a new amendment to the Law which gave it the power to reduce the penalties imposed by the committee to less severe ones. The result was that the Law became retroactive and many of those who had been dismissed returned to their posts after the Cabinet had changed the decision of the committee.

The role of the Iraqi bureaucracy in the social change was limited. When the Iraqi political system emerged,

its administrative system had not yet developed. There were few qualified persons to occupy the newly established agencies. Those who entered the service in the early years lacked education and administrative experience; hence, they had to learn their jobs through their own trials and errors. Most of them were trained as generalists and could not qualify for administrative positions beyond a certain level of complexity and responsibility. This corps of officials failed to establish a definitive bureaucratic pattern and value. They submitted to the requests of the ruling elite because a portfolio in the cabinet was very tempting to most of them.

Bureaucracy itself was a reflection of the cleavage in the Iraqi society. The executive positions were occupied by the old group of civil servants whose traditional outlook resisted the social change in the society. The younger generation began to enter the civil service before the close of World War II. They were placed in the lower positions because the civil service system heavily emphasized the importance of length of service in promotion and appointment. Thereby their influence on the performance of the bureaucracy was insignificant.

The traditional values persisted in the bureaucracy. Informal influence found its way into the bureaucracy. The

ruling elite, working to control key personnel in the administration, made it difficult to carry out the reforms of the government organization.

CHAPTER VIII

POLITICAL CHANGE THROUGH ECONOMIC DEVELOPMENT

In transmitting the political system of a developing country to a modern one, the need for economic and social reforms must always be tackled. When the old agricultural subsistence economy is replaced by an industrial economy, a far-reaching change in social and political organizations is brought about. Economic development substantially affects the distribution of social and political power; it undermines the role of the traditional elite in the political system as new social groups emerge to dominate the political power.

In this chapter we shall see that economic development was sought to maintain the old agricultural economy without attempting to change the social structure of the society.

The first attempt at economic development was proposed by King Faisal I.¹ In 1931 the Capital Works Program was

¹Faisal's Memorandum in al-Hassani, Modern History, p. 4; also Ireland, op. cit., p. 424.

put into effect, whereby revenues from oil concessions were supplied to finance some construction projects. Various schemes of the program were proposed and executed by different government departments. The amount of money allocated to the program did not exceed forty million Iraqi dinars for the whole period from 1931 to 1950.² Its proportion to the total expenditures of the state was indeed moderate, for example, five per cent in 1931 and 8.5 per cent in 1932.³

This program did not bring any visible change to the political system because of its limited financial allotments as well as its lack of a central agency to study, plan, and co-ordinate the execution of the projects included in the program.

Faced with the continuous threat to the Monarchy regime, the ruling elite was always preoccupied with the problem of the security of the regime. Thus, emphasis on military preparedness was necessary to obtain greater security

²Ribhi Abu El-Haj, "Oil Industry; A Strategic Factor in the Economic Development of Iraq" (unpublished Ph.D. dissertation, Faculty of Political Science, Columbia University), Table 5, p. 43. However, in considering the total investment of the program one should not overlook the fact that the total expenditure of the state was very small. The expenditure in 1931 was ID 3,617,023 and this increased to ID 25,717,229 in 1950. Ibid., p. 37.

³Iraq, The Iraqi Directory, p. 237.

for the regime itself. In the state's budget the allocation of expenditures for defence purposes far exceeded any other expenditures, as is shown in Table 17. The allocation of money to economic development, health, education and other services was minor. Furthermore, the outstanding financial burden on the country continued to be its personnel bill. The proportion of salaries to the state's expenditures for the four fiscal years 1929, 1930, 1931, and 1932 were 57, 50, 53, and 58 per cent respectively,⁴ and in 1950 the proportion was still about half of the expenditures.⁵

At the close of the war Iraqis argued that all the ills of Iraq might be healed by planned, comprehensive economic development. Lack of financial resources hindered the initiation of such a plan until 1950. The nationalization of the oil industry in Iran in that year on the one hand, and the terms of the Saudi Arabian-American Company concessions agreements on the other hand, were factors of great importance in influencing the politics in Iraq. Some of the opponents of the regime supported the idea of the nationalization of the oil industry in Iraq.⁶ Other were

⁴Ibid., p. 238.

⁵IBRD's Report, op. cit., p. 78.

⁶Only al-Istqlal Party advocated the idea of nationalization. Its representatives in parliament resigned as

TABLE 17

PROPORTION OF STATE'S SPENDING ON
DEFENSE, POLICE FORCES, EDUCATION, AND PUBLIC HEALTH
FOR SELECTED YEARS

	1928	1929	1930	1931	1932	1933	1942	1943
Defense	26.5	24.0	21.0	20.0	20.5	20.5	29.9	28.8
Police Force	14.0	14.0	14.0	15.5	15.0	14.0	10.9	13.1
Education	5.0	5.5	6.5	7.5	8.0	8.0	11.3	10.9
Health	4.0	4.5	5.0	10.0	5.0	4.5	5.8	6.3

	1944	1945	1946	1947	1948	1949	1950
Defense	27.1	29.5	33.9	28.7	23.3	30.8	31.2
Police Force	13.4	9.6	13.2	14.0	13.8	12.9	12.4
Education	11.0	8.9	10.2	9.5	11.6	11.7	12.5
Health	6.7	6.3	6.5	6.4	7.8	7.1	6.5

Source: Figures for years 1927-33 taken from The Iraq Directory, p. 237. Figures for the years 1941-50 taken from Iraq, Statistical Abstract, passim.

in favor of an agreement for better terms. However, political agitation strengthened the position of the Iraqi side in the negotiation of 1951, revising the old oil agreements.⁷ The new agreement, ratified by the Iraqi parliament, was based

a protest against the new agreement and called for a general strike. Hikmat S. Sulayman, The Story of Oil in Iraq (2d ed. rev.; Jerusalem, Jordan: "Habesch" the Commercial Press, 1957), p. 71.

⁷Khadduri, op. cit., p. 355.

on a fifty-fifty profit sharing.⁸

The substantial increase in the oil royalties, as had been expected in 1950, gave impulse to an over-all economic development.

Economic Development - Organization and Plan

The Development Board

The instability and lack of progress which had prevailed since the inception of the Iraqi national government were ascribed to the irresponsibility of the politicians;⁹ and so economic development, as had been suggested, had to be insulated from the influence of politics.¹⁰ Financed with

⁸For detailed account of the battle for the concession of oil in Iraq and the Middle East, see Sulayman, op. cit.; S. H. Longrigg, Oil in the Middle East (London: Oxford University Press, 1954); and Benjamin Shwadrān, The Middle East, Oil and the Great Powers (New York: Frederick A. Praeger, 1955).

⁹M. Hadid, "Trouble in Iraq," The Times, November 26, 1952.

¹⁰In his speech on the Baghdad Broadcast, October 11, 1941, Nuri al-Said spoke of the failure of achieving progress: "Every cabinet formed since the early days of the national government has announced its program and pledged reforms to the public. But most of these programs were general and nebulous in many aspects. Only a few of these programs endeavored to meet definite goals and these were executed only as far as possible." For text of the speech, see al-Hassani, Iraqi Cabinets, VI, 43-45.

a seventy per cent share of the oil royalties, the Development Board was constituted under Law No. 23 of 1950 primarily to give continuity to the development policy during successive changes of cabinets.¹¹ Its only tie to the government in power was provided by its ex-officio members, the prime minister and the Minister of Finance. An administrative staff with a secretary-general at its head was then established; it encompassed some technical sections and administrative officers.

The independence and autonomy of the Board, in the early days of its establishment, created some difficulties for the cabinet because this arrangement "gave the Council of Ministers too little authority and too little information" about the work of the Board.¹² Thus, in order to achieve political cohesion of the council of ministers and the Board, the Law of 1953 was enacted. It increased the influence of politics on the work of the Board and fundamentally altered its character and authority.¹³ Under this law a Minister of

¹¹Before the suppression of this law in 1953, it was supplemented by Law No. 22 of 1951 and No. 25 of 1952.

¹²Lord Salter, The Development of Iraq: A Plan of Action, A Report submitted to the Iraqi Government (London: Caxton Press, 1955), p. 97.

¹³Stanley J. Habermann, "The Iraq Development Board: Administration and Program," Middle East Journal, Vol. IX (Spring, 1955), p. 182.

Development was appointed, also with ex-officio membership in the Board, and a ministry was established under his control. The Minister of Development with his ministry became the executive arm of the Board as stipulated in Article 12 of the law:

The minister shall present to the council of ministers the general program of the Board accompanied by a detailed study showing its justification, its economic consequences, its effect on raising the standard of national income, method of execution for each year, total cost of the projects approved for each year--total cost of the program and actual approximate cost of each project. The general program shall not be enforced until it has received the approval of the council of ministers and the parliament.

In accordance with this provision of the law the technical and administrative staff was transferred from the Board to the Ministry of Development. They became subject to the rules of the regular civil service law under which their salaries and allowances were decreased. As a result several competent employees resigned and those who remained apparently suffered a drop in morale.¹⁴ In its function the Board became more dependent on the co-operation of the Minister of Development, and in its planning on staff over whom it had no direct authority.

The chairman of the Board was the prime minister at the time with a vice-chairman who was not an ex-officio

¹⁴Ibid., p. 183.

member. In addition to the ex-officio members and the vice-chairman, the Board comprised six other executive members with a five year tenure of office. Three members were to be specialists in finance and economics, irrigation, and one other field to prescribed by the council of ministers. However, the third field of specialization was never determined by the council of ministers. Among the other members were two foreign experts--one American and one British. The others were ministers whose qualifications and suitability to the job were questionable.

The Board's duties and terms of reference were to investigate the country's potential, productive resources and natural wealth.¹⁵ The actual work--planning, surveying, and other technical duties--was to be carried out by six Technical Sections (they were four sections in the early years of the Board), each of them concerned with some main aspects of development as follows:

1. First Technical Section - irrigation and drainage.

¹⁵The terms of reference of the Board as envisaged in Art. 3 of Law No. 23 of 1950 were: "The Board shall present . . . a general economic and financial plan for the development of the resources of Iraq and the raising of the standards of living of her people. This plan defines a general program of the projects to be undertaken by the Board. . . . The Board shall indicate in its program the priority of such projects, their approximate cost, and the period required for their execution."

2. Second Technical Section - roads, bridges, and buildings.
3. Third Technical Section - industry, mining, and electricity.
4. Fourth Technical Section - agriculture, forests, artesian wells, and land reclamation.
5. Fifth Technical Section - housing.
6. Sixth Technical Section - rural development.

The main characteristic of the organization for economic development was the concentration of all economic activities within the Board instead of distributing them on a functional basis among the various governmental departments. Also, the functions of planning, financing, and executing were confused when lumped in one agency without the attempt to separate them among proper agencies.¹⁶

The development plans

The plan of capital works for economic development was drawn by the Board on a span of five or six years. The expenditures of the first plan, which was projected in the latter part of 1950, had been estimated at a total of approx-

¹⁶M. Salman Hassan, "Towards a Revolutionary Economic Machinery in Iraq," Middle East Economic Papers (Beirut: American University of Beirut, Economic Research Institute, 1960), p. 46.

imately ID 168 million.¹⁷ The program consisted "almost exclusively of large projects," the consequential economic effects of which would necessarily take far longer to mature."¹⁸ The projected expenditures were based upon the expected revenues from oil. "The sums," said Lord Salter, who was invited by the Iraqi government to study its economic development plan, observing the first six year plan, "set down were not based (and indeed at that time could not have been) on the studies and surveys required before a practicable program could be formed."¹⁹ The result of this hasty plan was that the expenditures fell short of the estimates for the projects as had been anticipated by the International Bank at that time.²⁰ Accounts for the first three years of the plan--for the years 1951, 1952, and 1953--showed that less than half of the appropriations were spent.²¹

A second plan was originated which took effect in

¹⁷IBRD's Report, op. cit., p. 72.

¹⁸Michael Ionides, Divide and Lose: The Arab Revolt of 1955-1958 (London: Geoffrey Bles Press, 1960), p. 120.

¹⁹Salter, op. cit., p. 127.

²⁰IBRD's Report, op. cit., p. 76.

²¹The actual expenditures for these years, rounded to millions of dinars, were as follows: 1951, 3 out of 9; 1952, 8 out of 20; 1953, 12 out of 28. Salter, op. cit., p. 127.

February of 1955. The cost of this plan amounted to ID 303,308,100.

Criticism of the economic development policy rapidly increased after the publication of the plan. This criticism, together with the submission of Lord Salter's Report to the government in which he massively criticized the existing plan and the whole economic policy, provided both the government and the Board "with a clear lead for . . . future policy."²² The second plan was supplanted by a new one to cover the period from 1956 to 1960. The substantial increase in the revenues from oil increased the Board's expenditures. Its budget reached nearly twice the state's budget or more than one-fifth of the entire income.²³ Table 19 shows the allocation of expenditures for various phases of the development.

Though the new plan did not correspond with the "Plan of Action"--the comprehensive plan prepared by Lord Salter for a new economic development policy to be pursued by the government--substantial funds were allocated for a countryside housing program and other small projects to bring immediate results to the people, an idea strongly

²²Ionides, op. cit., p. 126.

²³Salman, op. cit., p. 46.

TABLE 18

ALLOCATIONS OF EXPENDITURE FOR THE PLANS ENDING
IN THE YEAR 1960 (INCLUDING THE FIVE YEAR PLAN)

	<u>Main Projects of the Board^a</u>	<u>Iraqi Dinars</u>
I.	Administrative Studies and Organization Expenditures	7,350,000
II.	Flood Control, Irrigation and Drainage	153,754,600
III.	Roads, Bridges, and Communications:	
	1. Roads	63,686,000
	2. Bridges	22,890,000
	3. Airports	8,851,550
	4. Railways	24,940,142
	5. Ports	4,000,000
	 <u>Main Buildings^a</u>	
IV.	1. Health Institutes	9,975,000
	2. Educational Institutes & Universities	6,314,000
	3. Public Buildings	20,900,000
V.	Summer Resorts and Rest Houses	2,580,000
VI.	Housing	24,085,000
VII.	Industry, Mining, and Electrification	67,119,217
VIII.	Development of Animal, Plant and Underground Water Resources	14,286,818
	 Total	430,732,327
	 <u>Minor Projects^b</u>	
IX.	Public Buildings and Institutes	59,375,000
X.	Miscellaneous Projects	9,900,000
	 Total	69,275,000
	Grand Total	500,007,327

Source: Sulayman, op. cit., p. 84.

TABLE 18--Continued

Notes: ^aExecuted by the Ministry of Development.

^bExecuted by other relevant governmental departments.

advocated by Lord Salter. Thus, the projects of the plan were divided into two categories. The first category covered the capital development projects for which necessary provisions were allotted under specific chapters of the general plan. The second category consisted of small development projects entrusted to relevant governmental departments for execution.

Economic Development and the Bureaucracy

Economic development in Iraq raised the question which has been asked in every underdeveloped country--would the bureaucracy be capable of taking the new responsibilities on its shoulders? Could this bureaucracy expand its scope of activities to cope with the increasing duties and functions?

The relationship between the performance of economic development and the level of efficiency of bureaucracy is very intimate. "The chief limiting factor," Lord Salter pointed out, "to the success of development in Iraq may prove to be neither the amount of money for investment nor even

the limits of skilled labor and materials available, but the efficiency of the administrative machine."²⁴ To see how far the bureaucracy put its restraint on economic development one may read the following observation put forth by the British member of the Board, Mr. Michael Ionides:

In these circumstances [of multiplicity of projects which were followed by a decrease in the efficiency of the administration] it was the more necessary to adjust our program so that it would make the most efficient use of the administrative machine, devolving executive functions to every possible point of executive authority; and . . . [to] avoid projects which create the need for extra administrative load unless for overriding needs.²⁵

With every passing year the administrative pain grew. Development projects were being turned out in completed forms. They needed to be operated and maintained by the appropriate departments. New projects had to be drawn up and then to be co-ordinated with the old, completed ones. All these required adequate administrative machinery to put the economic development into action.

The nature and character of the Iraqi bureaucracy have already been discussed in the previous chapter where the conclusion was drawn that the bureaucracy, its organi-

²⁴Salter, op. cit., p. 96. The International Bank's Mission to Iraq emphasized the necessity of bringing "substantial improvement in the efficiency of public administration so that the government will be capable of co-ordinated planning and execution of the program." Op. cit., p. 77.

²⁵Ionides, op. cit., p. 125.

zation and behavior, could not confine itself to the new task.

Economic development and planning involved more than building things. Innovation by imaginative bureaucrats was badly needed. Co-ordination of all government departments involved in the development projects was required. Decentralization of duties and responsibilities as well as the participation of civil bureaucrats in the program were urgently needed.

Economic development, therefore, required a new type of civil servant and reorganized government departments. Specialists and technicians were called upon to carry out the program. But in Iraq, as in other underdeveloped countries, there was a shortage of technical talent. Part of this difficulty was resolved in the big projects where foreign consultant engineering firms were assigned to make preliminary studies of these projects and to prepare the specifications and later to supervise the contractors.

For the large number of small projects, individual technicians were needed to assist in planning, execution, and maintenance. For the already small number of Iraqi technicians, government jobs became less and less attractive in the face of competition from private companies which offered higher salaries and better advancement opportunity. Iraqis who had just graduated from colleges were unwilling

to start their career with the government. Many of those who were already employed by the government left their jobs, and among those who remained the morale was low. Furthermore, the boom of projects skyrocketed the Ministry of Development into one of the most prestige-loaded government departments. Every technician preferred to work with this ministry. The result was a decrease in the technical staff in other departments, the tasks of which were rapidly increasing in order to maintain and to operate the newly completed projects.²⁶

The need for technical skill, therefore, was widely acknowledged. Through the Point Four Program and the United Nations Technical Assistance Program, foreign experts were provided, in most cases for a short time, to look into the technical aspects of particular projects. Their participation in the work of development had a great impact on its progress. But the experience and professional habits of these foreign experts were derived from a more rational society and many of them were unable to adapt their own

²⁶This observation about the Irrigation Department may properly be extended to all government departments. "For many years, no newly professionally qualified young Iraqis had joined the Department; they found more agreeable and better paid jobs with contractors, consultants, or in business working for the Development Board. What was worse, several of the senior Iraqi engineers had left the Irrigation Department for similar reasons." Ibid., p. 201.

experience to the particular circumstances of Iraq.²⁷ Their lack of understanding of the administrative behavior frustrated them and prevented their technical experience from being fully utilized.

Harmony and co-operation between these foreign experts and their Iraqi counterparts were lacking in every aspect of development. The Iraqis, frustrated by their inferior status and their low salaries, most of the time referred to the foreigners as incompetent. The foreign experts, feeling rejected by the Iraqis and unwilling to adapt themselves to the social habits of the country, were socially isolated. This attitude on both sides resulted in dubious benefits from the foreign technicians. The Iraqis almost always tended to look upon the foreign experts as representatives of foreign "imperialism" who wanted to gear the economic development to benefit themselves.

Many of the established functions of the ministries involved development projects that were not given to the Development Board. The result was fragmentation as well as duplication of the development policy among various government agencies. For example, the policy of formulating and executing industrial projects was put under the jurisdiction

²⁷Ibid. pp. 210-11; also Salter, op. cit., pp. 113-14.

of the Ministry of Economics, the Third Technical Section of the Ministry of Development, and the Industrial Bank. Also, the technical sections of the Ministry of Development had counterparts in other ministries; for example, the Second Technical Section was duplicated in the Ministry of Public Works and Communications. Such duplication required close co-operation between these technical sections and their counterparts.²⁸ The latter, however, might have been set up to undertake various parts of one development activity. But, needless to say, in the absence of definite terms of reference for each of them, struggle over funds, and hence over authority, preoccupied them.

The necessary co-ordination between the ministries and the departments was severely lacking. "There is," Lord Salter said as he emphasized the need for an appropriate co-ordinating machine, "a constant need for timing and co-ordinating the actions of the different departments concerned in development."²⁹ He recommended that an interdepartmental co-ordinating committee be formed among the principle officials of the departments concerned. If this recommendation had been implemented, the suggested committee would not have

²⁸Habermann, op. cit., p. 184.

²⁹Salter, op. cit., p. 108.

been effective in co-ordinating various activities of development except in areas where minor issues arose. It would have left the higher policy of various ministries without co-ordination because the council of ministers which was to co-ordinate their activities had wasted its efforts on unimportant matters. "I served," Fadhil al-Jamali spoke of his experience with the work of the council, "in many cabinets, and when we used to come to the council of ministers we spent most of our time appointing, transferring, promoting, or separating this or that official."³⁰

Co-ordination through formal arrangements was weakened by the personal differences among the ministers. Strong ministers tended to withhold and to hinder the work of the other ministers if they were not friends. Thus co-ordination of the work of the departments tended to be very personal and could only be achieved through bargaining and mutual favors. A former prime minister was quoted as having said that "an effective co-ordinator in Iraq would have to be a super cabinet minister, a man able to pick up the phone and make other cabinet ministers jump."³¹

³⁰al-Jamali, op. cit., p. 71.

³¹Hamilton F. Armstrong, "Lebanon, Jordan, and Iraq," Report on United States Foreign Assistance Program, for the United States Senate Committee on Foreign Relations, Survey no. 2 (Washington, D. C.: 1957), p. 1232.

One other crucial area where no effective co-ordination was evident was in the utmost utilization of foreign technical assistance. Each ministry requested individually "a given type of expert without considering very closely beforehand whether he is [was] needed, and whether any other department has [had] perhaps made a request for a similar expert."³² The only administrative agency which attempted to co-ordinate the technical assistance program was the Technical Assistance Section of the Ministry of Foreign Affairs. But "because of its lack of sufficient prestige and status in the Iraqi governmental hierarchy,"³³ it could not provide the required measures for co-ordinating these activities. Its function, therefore, was reduced to the minimum of providing a channel for official communications between the government departments desiring assistance and the foreign governments.

On top of all this, the administrative organizations were not yet prepared for the new job. A characteristic situation which may illustrate clearly the administrative

³²Salter, op. cit., p. 113.

³³Loren Tesdell, "Planning for Technical Assistance: Iraq and Jordan," Middle East Journal, Vol. XIV, (Autumn, 1961), p. 392; also Abdul-Ghani al-Dalli, "Problems of Industrial Enterprise in Iraq," Middle East Economic Papers (Beirut: American University of Beirut, Economic Research Institute, 1954), p. 44.

deficiency can be found in the following comments of Michael Ionides:

We were also getting into serious difficulties over the administration of State-owned land (the miri sirf department), set up some years before to distribute irrigated and rain-fed land in parcels to small holders.³⁴ Since the main irrigation policy of the Development Board was to build vast new projects and distribute them to small-holders, the load on this administration was growing very rapidly, and it had never been designed for such a task. As one of the Iraqi members of the Board said, the miri sirf administration was planned as a mouse to carry a mouse's load but now there was a camel's load to carry--but it was still a mouse.³⁵ (Italics mine.)

An important factor which could have contributed to the success of economic development was neglected. That was the need to create among the officials a sense of participation in constructive work. The general tendency of the Iraqi officials was to assume that nothing could be accomplished to reform the existing social and economic situation unless the structure of political power was altered. The International Bank's Mission of 1952 found, after two years of launching the economic development program, that officials both at the center and in the liwas were no aware of the

³⁴This department was set up under the Miri Sirf Law No. 43 of 1951 and was managed by a central committee. On its establishment it was attached to the Ministry of Economics, later to the Ministry of Agriculture. In 1954 it was transferred to the Ministry of Development. This department was in charge of distributing one quarter million misharas among small cultivators.

³⁵Ionides, op. cit., pp. 202-203.

program. "Where this awareness existed," the Mission pointed out, "it often was accompanied by an inclination to disparage the results likely to be achieved."³⁶

The Political Consequences of Economic Development

The drive for economic development, in order to bring a change in the political system, should be conducted on a sound comprehensive economic theory. The absence of such a theory results in undefined objectives of the economic development. Furthermore, a theory for economic development should serve the immediate needs of the people.

The three economic plans of the Board showed a complete failure to adopt a theory for economic development suitable to the needs and conditions of Iraq. It is more likely to say that the ruling elite themselves lacked any definite political ideology by which the affairs of the state should be run. The statement of Fadhil al-Jamali, quoted below, shows the vagueness in the minds of these politicians in launching the economic development program:

When Lord Salter asked me during my first premiership, which coincided with his presence here to study the development program, as to what objectives had been conceived for the development of Iraq my answer in essence was this: I want Iraq to be like Denmark in its social,

³⁶IBRD's Report, op. cit., p. 79.

moral, and spiritual refinement; and like California in its agricultural and technological aspects. You have to guide us to achieve this objective.³⁷ (Italics mine.)

Nevertheless, the program was constituted on the theory:

. . . that economic development means building capital works of all kinds because out of capital works comes prosperity. Therefore, the more capital works we could build, the greater the prosperity would be.³⁸

Though this theory was behind most of the projects of the Board, comprehensive planning was never attempted either by the Board itself or by any other government agency. The economic plans provided for more or less a series of isolated projects. Preliminary studies, such as the International Bank's Study, never served as master plans nor were they intended to be. The Board confined itself to being merely a financial and constructive agency. Engineers drew plans for the projects of the Board without studying their economic and political consequences.³⁹ Thus the planning policy failed to bring cohesion to the various types of development.⁴⁰

³⁷al-Jamali, op. cit., p. 73.

³⁸Ionides, op. cit., p. 202.

³⁹Doreen Warriner remarked that the Board was "a new wine in the old bottles," and its planning was "the only kind of planning that can be taken under the present political system and with the existing social structure." Op. cit. p. 131.

⁴⁰Salter, op. cit., p. 117.

The absence of co-ordination and timing of many projects resulted in unfortunate consequences--the waste of investments which did not benefit the people. For example, schools were built in some remote rural areas at very high costs, but there were not enough children to open the schools. The settlement of new cultivators on miri land proved unsuccessful because "no draining facilities were installed so that within a relatively short time the land began to deteriorate on account of salt accumulation."⁴¹ This waste was most evident in the Dujaila Scheme.

The major contribution of the Board was its investment in long-term programs--dams and highways, for example. Signs of discontent among the people grew stronger with the increase in the amounts invested. The Board's integrity and merit were constantly questioned by the people. It was often accused of being an instrument of foreign powers, its works designed to provide foreign military bases in Iraq.⁴²

The fallacy of the Board's policy lay in its emphasis on the construction aspects of economic development without effort to develop human resources.⁴³ For example, funds were

⁴¹Fahim, Qubain, The Reconstruction of Iraq: 1950-1957 (New York: Frederick A. Praeger, 1958), p. 101.

⁴²Habermann, op. cit., p. 181.

⁴³Lord Salter observed, "The Board has confined

allocated for building hospitals without allocating money for the improvement of public health, such as provisions increasing the number of doctors and carrying on research for the cures of epidemic diseases such as belharzia and malaria.

The sine qua non goal of economic development--to bring equal benefits to the whole people--was not seriously considered by the Board. The unbalance between urban and rural development causes the economic development to fall short of achieving the just distribution of the wealth of the nation. The resultants of this unbalance disturbed the economy and the politics of the country.

The urban development which was manifested in the erection of buildings and factories was aimed directly to satisfy the demands of the most troublesome groups, as well as to demonstrate the effectiveness of the whole program. On the other hand, urban development accelerated the fallahin's emigration to the big cities where they were unable to raise their standard of living or to contribute to the productivity of the nation since these cities did not have the social

itself to what may be called 'bricks and mortar' development. It has not been influenced by persuasive arguments that there is 'human capital' as well as material, and that capital investment may be suitably, and often most beneficially, made in improving the quality and capacity of human beings." Op. cit., p. 116.

capacity to absorb them as participants. As a result of this massive explosion in the cities' population, social and economic planning became less effective in distributing justice to all citizens.

On the other hand, rural development was neglected. Not before the end of 1957 were projects for this type of development laid down. A rural development section was created within the Ministry of Development with the encouragement of Ali Jawdat, Prime Minister at the time.⁴⁴ The aim was to establish small works in rural areas, coupled with training and educational projects.

This movement, born too late to solve the problem of the rural population, also overlooked the urgent need for solving the land and agricultural problems.

The increasing and improving of agricultural production received very little attention from the Board,⁴⁵ in spite of the fact that "Iraq is principally an agricultural country and will remain so in spite of the industrial development."⁴⁶

The problem of land reform was suggested by the

⁴⁴Ionides, op. cit., p. 132.

⁴⁵Salter, op. cit., p. 53f.

⁴⁶Iraq, The Embassy of Iraq in Washington, "Agriculture in Iraq," Iraqi Bulletin, I (May, 1957), 12.

government to be solved whenever the new irrigation schemes were to be completed. The policy pursued by the government was to build a new water scheme in order to open virgin land which would then be distributed among the small settlers. It was evident that the policy did not intend to disturb the existing system of tribalism. The defect in the policy was that it required several generations to accomplish its ends, while the political unrest in the country was not in favor of such a gradual solution.

In addition to the long time required to distribute the miri sirf lands, on which independent small-holders were to be settled in accordance with the Law of 1951, the beneficiaries of the land settlement were only 15,835 families (Table 19). However, the fallahin themselves were not the beneficiaries because the actual distribution of land went, as expressed by said Law, to the unemployed agricultural school graduates, retired civil servants, and army and police personnel.

On the other hand, the whole policy of irrigation was open to criticism.⁴⁷ Besides the fact that improvement and intensification of the existing canal system received little

⁴⁷Salter, op. cit., p. 53.

TABLE 19

MIRI LAND DISTRIBUTION UP TO 1957

Name of Project	Area of Holdings (Donums)	No. of Beneficiaries (Families)
Dujaila	50-100	1,540
Hawija	70	300
Shaharzoor	30-70	300
Mosul	100-150	9,845
Latifiya	50	439
Makhmour	30-130	267
Hilla	30-100	1,096
Dulain	100	868
Musayab	67	1,180
Total		15,835

Source: Iraq, Statistical Abstract, 1957, p. 342.

attention from the Board,⁴⁸ the new irrigation schemes were designed to benefit the big landlords. Lord Salter boldly put the problem to the government in his report. His comments need to be quoted in full:

The great water schemes, the dams, reservoirs, main irrigation works and main drainage outfalls, etc., are being constructed wholly at the expense of public revenue, derived from the oil royalties, which belong to the whole country not to any one section of it. These water schemes will of course increase the productivity of the land, and therefore its value--to an extent that in time will equal--and indeed ultimately exceed--their cost. It is not unnatural that sections of the community should regard it as unjust that one section, already more privileged than others, should now be further enriched to such an extent at the public expense, and should resent a policy which would have that effect. They may well have an ultimate power which is altogether out of proportion to their present representation in Parliament and their ability to influence legislation by constitutional means. It is this contrast between immediate and potential political power that constitutes the danger and the difficulty of the problem.⁴⁹

It has been realized that the improvement in the existing irrigation schemes would benefit these landlords, too. For three years the government could not get legislation through parliament where private landlords would have to pay for the benefits they would receive from such improvements. The government of Ali Jawdat in 1957 earnestly prepared the draft law for this purpose, but it was shelved

⁴⁸Ionides, op. cit., p. 53.

⁴⁹Salter, op. cit., pp. 54-55.

later by the succeeding government of Marjan who would have been greatly affected, along with his immediate family, by such a law.⁵⁰ However, the results of the landlords' resistance to such measures discouraged the government from continuing the improvement of the existing canal and drainage system. This resulted in the persistence of the low land productivity and the deterioration of the fallahin situation.

The initiation of the economic policy on long-term projects was subject to criticism. First, the bulk of the cash resources from abroad, injected into the economy without any accompanying increase of production, inflated the Iraqi economy.⁵¹ This inflation was anticipated by the International Bank which cautioned that the "principle task confronting the government is to prevent an inflation in any way. . . . Inflation would not only make development far more expensive, but might also create serious discontent."⁵²

⁵⁰ Ionides wrote, "Popular feeling was too strong for things to be done which would obviously put money into the landowners' pockets; the landlords were too strong for legislation to be passed to meet the difficulty. So the deadlock persisted." Op. cit., p. 266.

⁵¹ Salter, op. cit., pp. 24-30, and p. 117; also Habermann, op. cit., p. 185.

⁵² IBRD's Report, op. cit., p. 90. However, the inflation was not that disastrous since the availability of imported foreign goods "acted as a kind of safety valve." Habermann, op. cit., p. 185.

Signs of inflation began to affect the economy; prices rose, while goods were scarce.

Second, the projects themselves should fulfill the task of public relations. The primary requirement for enlisting public support to economic development was to allocate substantial funds for investment in projects which would not only bring quick and visible benefits to the people, but also would be shared by all areas and classes.

The long-term projects breded mistrust and doubt about the effectiveness of the whole program. Furthermore, these big projects were not balanced in their distribution among all regions and areas and social classes. Certain areas and social classes were rewarded and developed by the priority given to the erection of big water schemes in the northern region of the country, while big buildings and major constructions were established in Baghdad.

The effect of these large-scale projects, however, was to make the contrast between rich and poor even more striking. Great riches were acquired rapidly by those who received the contracts, those who managed the companies, and by the few technicians who found jobs available for their experience and training. All those who benefited from the economic development remained but a small portion of the

population. The standard of living of the majority--the fallahin particularly--remained unaffected. Neither were their shares in the crops increased, nor did their immigration to the big cities gain them a higher income, for there were so many unskilled laborers among them that even the increased demands for labor did not raise wages much and the consumption level remained low.⁵³

The consequence of this imbalance in the distribution of the projects was massive social and political discontent--that all the oil revenues brought no benefit to the country, and little had been done to serve the poor of the population. Public health and education received slim attention from the Board. Little had been done for those who suffered from lack of housing and other public services.

Nevertheless, the Board had shown an earnest desire to move in the direction of serving the poor people and in initiating projects which could produce quick results for them. In the third program the Board allocated twenty-four million dinars for housing. In the early part of 1957 the government created the Fifth Section for Housing and invited Doxiadis Association, Consulting Engineering Firm, to study and survey the housing problem. Its study showed that there

⁵³Warriner, op. cit., p. 125.

were 800,000 families in 1957 and that this number would double in the next fifty-five years.⁵⁴ But only 100,000 families were in good housing units in 1957. Without government aid there would be 1,100,000 families without shelter in 1980.

The launching of the housing program produced in its first year about 14,000 houses or plots, either under construction or in the planning stage.⁵⁵ The success of the program, however, was evident in the countryside, while it failed to achieve progress in Baghdad where there was desperate need to house the increasing number of emigrants from the rural areas. Its failure was mainly connected with the rise of the price of land in Baghdad. The concentration of the Board's projects in Baghdad and the increasing wealth of many of the new merchants and contractors in Baghdad resulted in greater leisure and better living. Hence, wealthy people, able to construct private houses, demanded new lands. The price of land jumped almost ten times. The available land around Baghdad, where the site of the housing program

⁵⁴These figures and information about the housing programs were drawn from the study of Doxiadis Association submitted to the Iraqi Government. See Iraq, The Housing Program of Iraq (Baghdad: "n. p.," 1957).

⁵⁵Ibid., p. 9.

had been chosen, was in the hands of private landlords who were politically influential. Their influence on the work of the expropriation committees was evident when they put high prices on the land.⁵⁶ The deadlock on this matter put the government in an undesirable position. If the government had to pay the prices put forth by the expropriation committees, it would be blamed for putting public funds into the pockets of the rich by paying unrealistic prices for the land. On the other hand, the negligence of the sponsors of the program made the government open to criticism, too.

The absence of both a comprehensive study for the established projects and serious supervision over their execution resulted in mismanagement in most cases. Some projects were merely paperwork or very often carried out behind schedule. For example, the Derandi-Khan Dam was scheduled to be carried out in the first plan of 1950-1955, but final designs and specifications were not completed until 1955. In that year a contract for the construction was awarded and scheduled to be completed in 1960. After the primary designs were drafted, the Board asked a company to undertake geological research to determine the suitability of the dam site. When the latter had been established, the Board, as

⁵⁶Ionides, op. cit., p. 204.

an additional safeguard, asked three foreign experts to make further studies of the project. In the light of all these reports and investigations, final designs for the dam were drafted.⁵⁷ Other examples of the delays in the projects can be cited here: the building of the Iraqi Museum, which was scheduled to be completed in 1958, and the Baghdad-Karkuk Road, contracted in 1953 to be completed in 1957, had not been finished at the time of this writing. The contracting firm for the road was unable to carry out the terms of agreement and left the work unfinished in the early part of 1957; the road had to be divided into three separate contracts which all together amounted to three times the original price of the tender.

The program of economic development needed more than eight years to test its effectiveness in bringing about a political change in the country, but many indications suggest that the program had neither a definite goal nor a sound economic basis. The economic and political interests of the leaders were not indifferent to those of the shaikhs and other economic and social groups who might be directly affected by modernization. Hence the crisis in economic development accelerated the overthrow of the regime.

⁵⁷El-Haj, op. cit., p. 141.

CONCLUSION

The experience of Iraq with Western political institutions raises an interesting question with regard to the form and organization of authority in transitional societies. Can a democratic form of political organization be effective in the early stages of the modernization process? It was the belief of the Iraqi politicians that the problem of change could be solved by introducing the Western political institutions to their own society.

The principle of nation-state was accepted in 1920, and a constitutional monarchy was introduced. The Constitution explicitly stated that sovereignty belonged to the people from which their political and civil rights and duties were specified. Though it distinguished legislative, executive, and judicial functions and provided separate institutions for them, the dominant branch was the executive. Under the Constitution the executive was composed of the cabinet and the king who appointed and dismissed the prime minister. The parliament was to be sovereign, though it could be dissolved by the cabinet.

Yet democracy in Iraq failed from its very inception. This failure was attributed to the fact that the pluralistic character of Iraq's society did not provide a congenial soil for transplanting Western concepts and institutions.

The old social structure with its system of beliefs and culture contradicted the very nature of democracy. For many centuries Islam provided a way of life for the majority of the people. The Islamic doctrine established the principle that authority belongs to Allah (God). The caliph, who was elected to enforce Allah's law and will, was bound by the divine law, violation of which would make him liable for punishment. Hence, contrary to the democratic theory which makes the rulers responsible to the ruled, the caliph was not responsible to the electors; Islam placed the ultimate responsibility in Allah.

Iraq in 1920 was a heterogeneous society with many languages, serious sectarian antagonism, and a very low level of literacy and secular education. The religious leaders exercised authority over their followers in religious and civic affairs. While the Shari'ah (Muslim Canon Law) was applicable to Muslims alone, other religious minorities were allowed to administer their affairs autonomously through the millet system practiced since the Ottoman Empire.

Perhaps four-fifths of the population consisted of

landless peasants whose condition was wretched. The majority of them were bound by tribal ties over which a shaikh exercised the ultimate authority.

The status of every inhabitant was very much a function of his tribe, his kinship, and his ethnical community. His loyalty, then, never carried beyond his tribe, religious community, and so forth. This dispersion of individual loyalty stood in the way of establishing the state-wide community which was so necessary to democracy.

The politicians to whom political authority was entrusted needed a strong national government so that they could control the other groups. The claim for supreme power was opposed mainly by two social groups--the shaikhs and the ulama of the Shi'a sect. The first group was motivated by its social and economic interests--the continuation of tribalism. The second group, though they fought for independence, rejected the establishment of a secular state to be run by Sunni politicians.

The new elite headed by King Faisal I had no political or social support for their authority. They lacked political support because they had never been organized in a mass political party which might have fought for independence. They did not have enough social support because they came from middle class families and city notables at a time

when the city itself had little significance in national politics.

As a result of this weakness, the elite adopted a policy which recognized the old social institutions within the new political system. The religious groups received recognition in the Constitution that they would continue to administer the affairs of their subjects. By a series of laws and by the Constitution the social interests of the shaikhs were confirmed. The social organization of each tribe gave the shaikh more authority to deal with his subjects and to magistrate over them in accordance with the customary laws of tribes.

Although tribalism and parochialism received recognition in the new system, political power was never shared with them. The Shi'a had one minister in each cabinet, but the ulama were never represented.

To consolidate their power and to subjugate other groups who continued to function as autonomous entities, the elite had to control the executive branch of the government. The King exerted great influence in the national politics and upon his wishes parliament had to be formed with nominal representation assigned to the shaikhs.

King Faisal I was very successful in leading this elite during the early years of his reign. Under his leader-

ship cohesive unity among the politicians was established. This unity was needed in the struggle of politicians for power. The great achievement of Faisal was the establishment of a powerful national center where other social groups began to lose some political influence, though their social power remained effective. He was able to prolong the crisis issue over political leadership during his reign.

The death of Faisal in 1932 caused an intense rivalry for leadership to develop. Political struggle typically occurred in context of inter-personal rivalry, and resulted in intrigues, tribal uprisings, and coup d'etats.

This struggle among the leaders affected the relationship between the central government and the shaikhs. The tribes were the only center of power which had military strength. Hence, politicians who were out of office managed to incite the tribes to revolt against the politicians in power.

From the early years of the national government, building up and maintaining an adequate army was necessary for the new elite to meet the tribal forces. But the British refused to support the demand of the elite to establish a national army because their interest was to maintain a balance of power in the country. With the termination of the mandate the elite were free to establish the army which

later emerged to be a new coercive force in the national politics.

The success of the army in crushing the uprisings of the tribes in the years 1933 to 1935 effected a political change. The military strength of the tribes became inadequate to combat the army. Hence, in their struggle for power the elite sought to control the army through its key officers. Meanwhile the shaikhs continued to enjoy a significant place in national politics--their representation in the parliament increased.

Needless to say, the army was still unable to provide leadership to change the course of the political modernization. From the beginning, the army was captive to the interests of the politicians. Two factors may have attributed to the inability of the army to control politics. First, up until 1939 the key personnel in the army were those who worked with the politicians in the Turkish Army. Because of their long association in the past, it was easy for the elite to influence the top officers in the army. Second, the army itself was in its infancy and leadership within the army had not yet developed.

In the late 1930's a new generation of officers emerged as an independent force in national politics. The Four Officers who engineered the coup d'etat of 1941 deter-

mined to take over the affairs of state having removed the pro-British politicians--the Regent and Nuri al-Said--from the government. Their triumph was short-lived not because they were unable to deal with the political issues but mainly because the timing of the movement was not suitable to the world situation at the time.

After the collapse of the government of the coup d'état of 1941, the regime had little sympathy from the populace. Because of this lack of sympathy, the successive cabinets had to rule by martial law and all freedom of expression was denied. The cabinet became a very influential institution, though final authority to make decisions was shared by Nuri al-Said and the Regent. The latter was granted , under the Second Amendment of the Constitution, a new prerogative to dismiss the prime minister.

Power relations were drastically changed. The monarchy and its supporting politicians felt uneasy about the army because of its unfriendly attitude. In order to diminish the army's influence in the politics, the leaders decided to purge the distrusted officers from the military service. Another solution to the problem of the security of the regime was to revive the power of the shaikhs and to bring them to the support of the regime. The ratio of shaikh representation in the parliament steadily increased, fluctuating between

forty and forty-three per cent. Some of them were assigned ministerial posts. Sons of shaikhs who entered school in the early 1930's had completed their education in the post-war period and took a share in the political power.

Meanwhile within the elite group there was more cohesion than ever before. The number of leaders competing for leadership was reduced as a result of the process of elimination a decade before. Opposition and threat to the regime came from new social and economic groups whose political ideology was based on radical reform and change. The common enemy of the regime compelled the elite to unify themselves more than ever before.

The problem of the security of the regime was a matter of concern to the elite. The collapse of the regime was delayed because they were able to control the government institutions and to use them against their opposition. Parliament was often dissolved or prorogued and the opposition purged from it. The cabinet resorted more than ever to martial law and to the enactment of laws by executive orders. The political rights and activities of the participants in national politics were suppressed.

The evolution of the government system to an oligarchy could be more effective in social change. But in Iraq the case may be stated differently because:

First, the elites themselves were deficient in the identification of themselves with a broad social interest and policy goal of modernization. The principal leaders who continued to influence the actions of the ruling politicians were not exposed enough to the Western world and ideas. Their main contact with the outside world was with Turkey, where they studied or served with its army in the early years of its modernization. The new generation of politicians who were recruited to office in the post-war period, though they had more exposure to the West by the educational facilities at home and abroad, were less influential in changing the political and social philosophy of the old generation of the elite. The elder politicians, after dominating the government for so many years, felt that the progress made in the country was due to their own efforts and services; hence, they felt it their own prerogative to decide without advice or interference from outside or inside their circle. On the other hand, with their military training based on obedience without question, they expected their decisions to be accepted without question from any group.

Second, the process of change was affected by the absence of a professional bureaucracy. This was mainly due to its recent development. Not before the British occupation was a civil bureaucracy introduced to the country. The

efforts of the British in establishing an efficient administration were cut short after 1925 when the British personnel were replaced by new Iraqi personnel who had neither the proper training nor sufficient education because of the low level of education in the country. With the spread of education to every social class, particularly after the Second World War, new personnel with different social backgrounds were hired. However, the top personnel continued to reflect the interests of the elite; many of them were relatives or were appointed for political purposes. Consequently, the bureaucracy on the whole could not act unfavorably to the interests of the elite since final authority in appointing and promoting personnel was vested with the minister or with the cabinet itself.

Third, economic development was delayed by the elite. Under pressure from inside the country, the elite began the economic development in 1950. However the goal of the program was political--not modernizing. It did not tackle the problems of raising the standard of living of the population and the need for creating permanent jobs for unemployed people. The problem of land and the welfare of the peasants remained untouched. On the contrary, many agricultural and irrigation projects increased the wealth of the shaikhs and other landlords. Industrial development was delayed because

of the fear of creating a working class and a new middle class strong enough to tip the balance of political forces in the country.

Thus, political development is greatly affected by the stage of social and economic advancement in the society. But this should not lead to the assumption that an economic and social transformation should have priority in the national development of a new nation. A healthy and stable political system is one that will aim to maintain a balance between the various aspects of development--economic, political and administrative. While political development must bring a widespread political participation of the citizens in the national politics, it will be ineffective unless traditional institution disappears and social differentiation among the members of the system is eliminated. On the other hand, political institutions should be constructed to deal effectively with the political problems as participation increases and social development takes place. But the task of bringing harmonious relations between political and economic reform is a formidable task and depends on the skill and ability of the new leaders to deal with these problems.

APPENDIXES AND BIBLIOGRAPHY

APPENDIX I

THE IRAQI CABINETS
(1920-1958)

Number	Prime Minister	Term of Office
1	Abdul-Rahman al-Gaylani	10/23/20- 8/23/21
2	Abdul-Rahman al-Gaylani	9/10/21- 8/14/22
3	Abdul-Rahman al-Gaylani	8/30/22-11/16/22
4	Abdul-Muhsin al-Sa'dun	11/20/22-11/16/23
5	Ja'far al-Askari	11/22/23- 8/02/24
6	Yasin al-Hashimi	8/02/24- 6/20/25
7	Abdul-Muhsin al-Sa'dun	6/26/25-11/01/26
8	Ja'far al-Askari	11/21/26- 1/08/28
9	Abdul-Muhsin al-Sa'dun	1/14/28- 1/20/29
10	Tawfiq al-Suwaydi	4/28/29- 8/25/29
11	Abdul-Muhsin al-Sa'dun	9/19/29-11/13/29
12	Naji al-Suwaydi	11/18/29- 3/19/30
13	Nuri al-Sa'id	3/23/30-10/19/31
14	Nuri al-Sa'id	10/19/31-10/27/32
15	Naji Shawkat	11/03/32- 3/18/33
16	Rashid Ali al-Gaylani	3/20/33- 9/09/33
17	Rashid Ali al-Gaylani	9/09/33-10/28/33
18	Jamil al-Midfa'i	11/09/33- 2/10/34
19	Jamil al-Midfa'i	2/21/34- 8/25/34
20	Ali Jawdat	8/27/34- 2/23/35
21	Jamil al-Midfa'i	3/04/35- 3/16/35
22	Yasin al-Hashimi	3/17/35-10/29/36
23	Hikmat Sulayman	10/29/36- 8/16/37
24	Jamil al-Midfa'i	8/17/37-12/25/38
25	Nuri al-Sa'id	12/25/38- 4/06/39
26	Nuri al-Sa'id	4/06/39- 2/21/40
27	Nuri al-Sa'id	2/21/40- 3/31/40
28	Rashid Ali al-Gaylani	3/31/40- 1/30/41
29	Taha al-Hashimi	2/01/41- 4/01/41
30	Rashid Ali al-Gaylani	4/12/41- 5/29/41
31	Jamil al-Midfa'i	6/02/41-10/07/41
32	Nuri al-Sa'id	10/09/41-10/08/42
33	Nuri al-Sa'id	10/08/42-12/25/43
34	Nuri al-Sa'id	12/25/43- 6/03/44
35	Hamdi al-Pachachi	6/04/44- 8/29/44
36	Hamdi al-Pachachi	8/29/44- 1/31/46

Number	Prime Minister	Term of Office
37	Tawfiq al-Suwaydi	2/23/46- 5/30/46
38	Arshad al-Umari	6/01/46-11/14/46
39	Nuri al-Sa'id	11/21/46- 3/11/47
40	Salih Jabr	3/29/47- 1/27/48
41	Muhammad al-Sadr	1/29/48- 6/06/48
42	Muzahim al-Pachachi	6/26/48- 1/06/49
43	Nuri al-Sa'id	1/06/49-12/10/49
44	Ali Jawdat	12/10/49- 2/01/50
45	Tawfiq al-Suwaydi	2/05/50- 9/15/50
46	Nuri al-Sa'id	9/15/50- 7/10/52
47	Mustafa al-Umari	7/12/52-11/23/52
48	Nur al-Din Mahmud	11/23/52- 1/29/53
49	Jamil al-Midfa'i	1/29/53- 5/05/53
50	Jamil al-Midfa'i	5/07/53- 9/13/53
51	Fadhil al-Jamali	9/17/53- 3/07/54
52	Fadhil al-Jamali	3/08/54- 4/21/54
53	Arshad al-Umari	4/29/54- 7/23/54
54	Nuri al-Sa'id	8/02/54-12/17/55
55	Nuri al-Sa'id	12/17/55- 6/08/57
56	Ali Jawdat	6/18/57-12/11/57
57	Abdul-Wahab Murjan	12/14/57- 3/02/58
58	Nuri al-Sa'id	3/03/58- 5/13/58
59	Ahmad Mukhtar Baban	5/18/58- 7/14/58

APPENDIX II

POLITICAL PARTIES^a
(1920-1958)

Party Name	Years of Activity	Leading Personalities	Character ^b
al-Ahad	1919-20	. . . ^c	Comprehensive nationalist
al-Harras al-Watani	1919-20	Muhammad al-Sadr	Iraqi nationalist
al-Nahzah al-Irakia	1922 ^d	Amin al-Charchafchi	Personal
al-Watani	1922 and 1926-33 ^e	Ja'far Abu al-Timan	Pragmatic
al-Iraki al-Hur	1922-23	Mahmud al-Gaylani	Personal
al-Uma	1924-... ^c	. . . ^c	Personal
al-Istqlal al-Watani	1924-1925	. . . ^c	Personal
al-Diyfa' al-Watani	1924-25	. . . ^c	Personal
al-Taquadum	1925-28	Abdul-Muhsin al-Sa'dun	Personal

APPENDIX II--Continued

al-Sha 'ab	1925-28	Yassin al-Hashimi	Personal
al-Ahad al-Iraki	1930-32	Nuri al-Said	Personal
al-Ikha'	1931-35	Yassin al-Hashimi and Rashid Ali	Pragmatic
al-Wiyhda al-Irakia	1934-35	Ali Jawdat	Personal
al-Ahali	1931-36	Kamil al-Chadarchi	Socialist
al-Watani al-Demkrati	1946-54	Kamil al-Chadarchi	Democrat Socialist
al-Istqlal	1946-54	Muhammad Kuba	Arab Nationalist
al-Sha 'ab	1946-54	Aziz Sharif	Marxist
al-Itihad al-Watani	1946-47	Abdul-Fatah Ibrahim	Marxist
al-Ahrar	1946-48	Tawfiq al-Suwaydi and Sa'ad Salih	Pragmatic
al-Itihad al-Dasturi	1949-54	Nuri al-Said	Personal
al-Islah	1949-51 ^f	Sami Shawkat	Nationalist-Facist
al-Uma	1951-54	Salih Jabr	Personal

APPENDIX II--Continued

al-Jabiha al-Sha'abiya	1951-54	Taha al-Hashimi	Pragmatic
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Notes: ^aThe list only includes political parties which were legally licensed by the government. Underground parties and political groups are not included.

^bA pragmatic party is one whose program has adopted a maximum of economic interests acceptable to various social and economic groups. The personal party generally confined itself to the personal following of its leading personality.

^cNot available.

^dIt was banned by the British authority in Iraq thirteen days after its foundation.

^eIt was banned by the British authority in Iraq thirteen days after its foundation. It resumed its activities in 1926.

^fIt was incorporated with al-Uma Party in 1951.

APPENDIX III

MAJOR DAILY NEWSPAPERS IN IRAQ IN THE 1950'S

Newspaper	Place of Publication	Circ.	Key Personnel	Political Orientation
al-Akhbar	Baghdad	3,000	Jubran Malkon, proprietor and editor.	Pro-government regardless of the prime minister in office.
al-Bilad	Baghdad	... ^a	Rafa'il Butti, former proprietor and editor (after his death in April, 1956, one of his sons assumed control.	Considered the best edited and most reliable of all Iraqi Arabic language papers. Has been nationalistic but not violently so, and since Butti's death increasingly anti-American.
al-Dastur	Basra	... ^a	Mahmud al-Amer, editor.	Organ of al-Itihad al-Dasturi Party in Basra <u>Liwa</u> .
Fata al-Iraq	Mosul	2,500	Ibrahim al-Chalabi, editor.	. . . ^a
al-Hawadith	Baghdad	3,000	Adil Awni, editor	Pro-government.

APPENDIX III--Continued

al-Hurriyah	Baghdad	...	Qassim Hammudi, chief editor; one of his sons, a member of al-Ba'ath Party, became editorial writer.	Extremely nationalist and anti-Western.
Iraq Times (English)	Baghdad and Basra	4,000	G. Reid Anderson, managing editor.	Formerly the voice of the British influence in Iraq; read by many educated Iraqis, extensive coverage on British and international news. Most cautious in its comments on Iraqi politics, indirectly supported the government in power and depends largely on official press releases for its local news.
Liwa al-Istqlal	Baghdad	...	Faiq al-Samarra'i, former editor.	Organ of al-Istqlal Party.
al-Manar	Basra	...	Abul-Aziz Barakat, editor.	...
al-Mosul	Mosul
al-Nas	Basra	3,500	Abdul-Qadir al-Sayyab, editor.	Pro-al-Istqlal Party.

APPENDIX III--Continued

Sada al-Ahali ^b	Baghdad	5,000	Kamil al-Chardarchi, editor.	Organ of al-Watani al-Demkrati Party; followed an anti-gov- ernment leftist policy. Its original paper was al-Ahali (1936) which continued to appear under different names as a result of continuous suspension by the government.
Sawt al-Uma	Mosul	2,000	Michael Dawoud Haddad, editor.	. . . ^a
al-Sha 'ab	Baghdad	4,000	Yahya Qassim, proprie- tor and editor.	Pro-government, then it tended to represent the views of Salih Jabr.
al-Thaghar	Basra	... ^a	Shalsir al-Na 'mah	Pro-government.
al-Uma	Baghdad	... ^a	Rafiq Sayyid Aisa, former editor.	Organ of al-Uma Party.
al-Yaqazah	Baghdad	... ^a	Salman al-Safawni, proprietor and editor.	Nationalist, but not opposed to the government.

APPENDIX III--Continued

al-Zaman	Baghdad	7,000	Tawfiq al-Sam'ani, proprietor and editor.	Has in the past played a neutral role; later became pro-govern- ment.
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Source: With minor revision, Harris, op. cit., Table 3, pp. 316-17.

Notes: ^aNot available.

^bSuspended in 1954.

APPENDIX IV

ADMINISTRATIVE DIVISIONS
(1959)

Liwa	No. of Qadhas	No. of Nahiyas	No. of Villages
Mosul	10	28	2,496
Karkuk	4	13	1,274
Arbil	5	14	1,151
Suleymaniya	6	19	1,301
Baghdad	7	14	475
Diala	4	13	718
Dulaim	3	8	165
Kut	4	8	276
Hilla	4	10	436
Kerbala	1	4	124
Diwaniya	6	17	544
Muntifiq	5	11	270
Amara	3	8	446
Basra	4	7	242
Total	66	174	9,918

Source: Mustafa Jawad et al., The Iraqi Directory (Baghdad: al-Rabita Press, 1960), p. 80.

APPENDIX V

CLASSIFICATION OF AGRICULTURAL LAND
BY THE END OF 1958

Class of Land	Size by Mishara	Per Cent
Mulk Sirf	257,998	.80
Waqf	439,075	1.37
Miri granted in Tapu	12,481,588	38.82
Miri granted in Lazma	10,587,676	32.92
Miri Sirf	4,683,537	14.57
Not classified by the end of 1958	3,703,939	11.52
Total	32,154,813	100.00

Source: Iraq, Ministry of Economics, Report on Agricultural and Livestock Census of Iraq, 1958-1959, Table 5, p. 9.

APPENDIX VI

OCCUPATIONAL DISTRIBUTION IN IRAQ
(1953-1954)

Agricultural Workers	1,400,200
Commerce	120,000
Manufacturing.	90,300
Petroleum Industry	11,900
Government and Private Service	97,500
Railroads.	14,300
Port of Basra Authority.	7,800
Public Utilities	3,500

Source: Harris, op. cit., Table 5, p. 318.

APPENDIX VII

CENSUS OF HOUSING
(1957)

Type of House	Number
Brick	111,871
Stone	46,127
Mud	304,296
Serifa.	194,629
Tent.	15,282
Other	68,901
Total	741,106

Source: Iraq, Statistical Abstract-1957,
Table 138, p. 111.

Note: Houses in small villages of less than
fifteen houses each are excluded from
the Table. They are practically all
built of either mud or serifa (reeds).

APPENDIX VIII

PERCENTAGE OF LITERACY BY LIWA (PROVINCE)
(FOR CENSUS OF 1947)

Liwa	Population	Per Cent of Literates	Per Cent of Illiterates Above Five Years of Age	Per Cent of Children Under Five Years of Age
Mosul	595,190	8 %	63 %	29 %
Karkuk	286,005	7	75	18
Arbil	239,776	4	78	18
Suleymaniya	226,400	5	77	18
Baghdad	817,205	18	65	17
Diala	272,413	8	73	19
Dulaim	192,283	8	61	31
Kut	224,938	5	75	20
Hilla	261,206	6	74	20
Kerbala	274,264	8	37	55
Diwaniya	378,118	4	77	19
Muntifiq	371,867	3	71	26
Amara	307,021	5	75	20
Basra	368,799	11	73	16
All Iraq	4,816,185	8 %	69 %	23 %

Source: Adapted from Iraq, Ministry of Education, Report, 1954-1955, p. 8.

APPENDIX IX

GROWTH IN THE PRIMARY AND HIGH SCHOOLS
(1920-1961)

Year ^a	Primary Schools			High Schools ^b		
	Schools	Teachers	Students	Schools	Teachers	Students
1920-21	88	486	8,001	3	34	110
1921-22	51	663	15,275	4	37	229
1922-23	173	681	17,233	4	49	243
1923-24	198	734	18,558	4	31	333
1924-25	221	800	20,654	4	46	405
1925-26	228	874	22,712	5	56	583
1926-27	249	959	24,170	8	78	729
1927-28	268	1,025	26,706	11	102	1,086
1928-29	273	1,090	28,032	13	133	1,324
1929-30	291	1,190	30,888	15	130	1,390
1930-31	316	1,325	34,513	19	129	2,082
1931-32	336	1,447	37,472	22	166	8,828
1932-33	390	1,611	44,177	26	179	3,444
1933-34	463	1,808	54,539	32	211	3,791
1934-35	561	2,011	64,048	33	224	4,659
1935-36	590	2,192	67,593	35	240	6,138
1936-37	626	2,405	75,183	39	258	7,904

APPENDIX IX--Continued

1937-38	724	2,798	88,221	45	335	10,755
1938-39	739	3,149	96,620	53	450	13,629
1939-40	796	3,881	109,437	66	588	16,863
1940-41	811	4,133	110,341	64	618	18,160
1941-42	838	4,343	107,996	66	615	17,717
1942-43	865	4,511	105,450	69	634	15,307
1943-44	941	4,947	108,456	75	739	16,753
1944-45	983	5,098	120,875	87	861	18,127
1945-46	1,027	5,429	140,157	104	1,120	19,929
1946-47	1,057	5,627	150,619	113	1,174	21,220
1947-48	1,116	6,096	161,380	115	1,261	23,047
1948-49	1,150	6,512	174,874	125	1,385	29,928
1949-50	1,194	6,749	196,334	146	1,499	30,300
1950-51	1,229	7,116	203,106	154	1,796	32,443
1951-52	1,307	7,873	216,885	161	2,012	33,768
1952-53	1,420	8,660	243,755	182	2,334	40,561
1953-54	1,549	9,521	280,378	197	2,679	46,463
1954-55	1,663	10,272	314,909	215	2,877	53,881
1955-56	1,826	11,099	353,464	205	2,926	57,453
1956-57	1,919	11,862	388,065	218	3,193	62,722
1957-58	2,084	12,830	430,475	244	2,449	70,092
1958-59	2,416	16,069	518,021	326	3,084	98,559
1959-60	3,228	20,040	642,665	362	3,186	120,155
1960-61	3,633	42,982	776,353	375	4,689	133,146

APPENDIX IX--Continued

Source: Figures for 1920-1955 were taken from Iraq, Ministry of Education, Report, 1954-1955, passim. Figures for 1958-1961 were taken from Republic of Iraq, Ministry of Education, Development of Education, 1960-1961, p. 8 and p. 10.

Notes: aFigures for 1920-1939 do not include private schools.

bTeachers' training and vocational schools are not included.

APPENDIX X

INCREASE IN THE NUMBER OF GRADUATES FROM HIGH SCHOOLS AND
HIGHER INSTITUTIONS OF LEARNING WHICH WERE ATTACHED
TO THE MINISTRY OF EDUCATION (1920-1959)

Year	High School	Law	Education	Queen Alliya	Engineering	Commerce and Economics	Arts and Science	Study Abroad
1919-20		20						4
1920-21		15						5
1921-22								6
1922-23	11	44						5
1923-24	22							14
1924-25	22	30	11					18
1925-26	37	53						16
1926-27	42	46	7					13
1927-28	60	7						19
1928-29	64	20	17					
1929-30	84	31	5					
1930-31	159	10	19					
1931-32	169	8						
1932-33	93	23						
1933-34	99	33						
1934-35	210	39						

APPENDIX X--Continued

Year	High School	Law	Education	Queen Alliyaa ^a	Engineering	Commerce and Economics	Arts and Science	Study Abroad ^b
1935-36	313	37						14
1936-37	360	103	39					27
1937-38	422							20
1938-39	514	69	36					27
1939-40	632	89						27
1940-41	1,410	129	63					25
1941-42	833	92 ^c	62					38
1942-43	1,011	104	55					55
1943-44	1,015	168	71					25
1944-45	1,457	89	93					26
1945-46	1,930	116	91		19			31
1946-47	1,706	255	54		29			12
1947-48	2,414	239	67	37	29			13
1948-49	2,320	262	77	47	50			24
1949-50	2,025	533	110	56	41	112		65
1950-51	2,072	621	176	64	59	69		57
1951-52	2,190	564	167	77	42	105		142
1952-53	1,908	351	163	87	5	157	56	109
1953-54	2,616	183	176	47	55	192	61	106
1954-55	2,064	158	162	101	53	266	82	77
1955-56		180	210	114	61	237	136	88

APPENDIX X--Continued

Year	High School	Law	Education	Queen Alliyaa ^a	Engineering	Commerce and Economics	Arts and Science	Study Abroad ^b
1956-57		147	177	72	68	134	167	148
1957-58		164	213	102	82	104	148	158
1958-59		129	231	83	98	84	151	300
Total	30,284 ^d	5,161	2,552	887	691	1,460	801	1,714

Source: Figures for 1920-1955 were taken from Iraq, Ministry of Education, Report, 1954-55. Figures for 1955-1959 were taken from Iraq, Ministry of Economics, Statistical Abstract, 1955-1959, passim.

Notes: ^aQueen Alliya College was a liberal arts college for women.

^bStudy abroad includes only those who studied completely under government expense. Those who received partial financial assistance from the government or studied on their own are not included.

^cThis figure does not include the graduates from the Institute of Financial

APPENDIX X--Continued

Sciences which was attached to the College of Law.

^dFigures for the graduates from high schools for the years 1955-1959 are not available, therefore they were not included in the total.

APPENDIX XI

DISTRIBUTION OF HIGH SCHOOL GRADUATES
IN HIGHER INSTITUTIONS OF LEARNING
(1954-1955)

Institution	Number Accepted	Per Cent
Medical	143	7.0
Dental	16	.7
Pharmacy	31	1.5
Law	90	4.4
Engineering	133	6.4
Commerce and Economics	85	4.1
Education	173	8.4
Queen Alliya (for women)	90	4.4
Arts and Science	132	6.4
Physical Education	19	.9
Industrial Engineering	41	2.0
Agriculture	74	3.6
Fine Arts	3	.1
Veterinary Medicine	7	.3
Theology	8	.4
Teachers' Training	372	18.0
Study Abroad	30	1.5
Unknown	617	29.9
Total	2,064	100.0

Source: Iraq, Ministry of Education, Report, 1954-1955,
p. 133.

APPENDIX XII

GROWTH IN THE NUMBER OF STUDENTS IN THE
HIGHER INSTITUTIONS OF LEARNING
(FOR SELECTED YEARS)

Year	No. of Institutions	No. of Students
1954-55	12	5,427
1957-58	17	5,741
1958-59	21	8,832
1959-60	24	12,115
1960-61	26	13,535

Source: Figures for 1954-1955 were taken from Iraq, Ministry of Education, Report, 1954-1955. Figures for 1957-1961 were taken from Republic of Iraq, Ministry of Education, Development of Education, 1960-1961.

Note: Both colleges of police officers and the military academy are not included.

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