

ENGLISH SUMMARIES



The Iraqi Operation of 2003 – Its Background and Influence on the International System and the Development of Iraqi Statehood

Holger Mölder

The end of the Cold War caused paradigmatic changes in the international system. The new postmodern system was a Kantian one, in which the general principles of cooperation replaced the principles of conflict and competition. However, many Hobbesian security environments were maintained within the Kantian system, and the Middle East was one of them. So-called deviant states opposed the new Kantian system and did not accept the international norms that accompanied it: they developed weapons of mass destruction, supported international terrorism and crime, and denied human rights, including the rights of ethnic, religious and cultural minorities. The regime of Saddam Hussein in Iraq can be also identified as such a deviant state. Iraq was created after World War I, and from that time the country was ruled by the Sunni Arab minority, who dominated over the numerous ethnic and religious groups, notably the Shia Arabs and Kurds. In 1968, the socialist-nationalist Baath Party came to power. In 1990, Iraq occupied neighbouring Kuwait, which led to international military operation against them. The Iraqis had to abandon Kuwait, but Saddam Hussein maintained his power in Iraq.

A decade later, in light of the Global War against Terrorism, Iraq again received international attention as Saddam Hussein was accused of promoting weapons of mass destruction, and attempting to build up its nuclear capability. An international coalition led by the United States and United Kingdom decided to attack Iraq, and overthrow the regime of Hussein. This action was resisted by many of their allies, primarily France and Germany, who argued that it would destabilize the entire international system. The initial phase of the military intervention was successful and the resistance of the Iraqi regular forces was easily destroyed. The occupying powers, however, met with difficulties in establishing a peaceful environment, and were also met with resistance from Islamist groups that had previously been suppressed by the

ruling Baathists. The military operation has been followed by the civil war. The Iraqi experience has taught that it is impossible to solve international crises relying solely on military power, and a military operation must be followed by successful peace-building and state-building programs.

Operation Iraqi Freedom: Was There a Legal Basis for the Use of Armed Force?

René Värk

Since the 1980s, the international community has paid a great deal of attention to Iraq because its conduct has repeatedly threatened or breached international peace and security. International reaction has varied from condemnation (during the Iran-Iraq War in 1980s) to military action (when liberating Kuwait in 1991). A controversial phase began in 2002, when the United States and the United Kingdom argued that the international community should react more decisively and forcefully to address Iraq's unwillingness to meet the obligations that had been imposed on it by the Security Council. First, they hoped that the Security Council would authorise the use of armed force, but this was seen as excessive by many countries, and authorisation was blocked. Then, together with Australia, they chose to act unilaterally and launched a military intervention on the 20th of March 2003. The allies invoked several justifications for their action (humanitarian intervention, an operation against terrorism, self-defence), but the principal basis was an implied authorisation from the Security Council. They posited the argument that when the Security Council's Resolutions 678, 687 and 1441 were interpreted together, then Iraq's continuing defiance in 2003 revived the explicit authorisation that had been given in 1990. This argument is dubious for several reasons. Why should authorisation be revived 12 years later and in a different context? The original authorisation was given for the use of armed force in co-operation with the Kuwaiti Government to liberate Kuwait and consequently to restore peace and security to the region. Operation Iraqi Freedom, however, was conducted without the involvement of Kuwaiti Government and was initiated with the sole intent of restoring (supposedly threatened or breached) peace and security to the region. The aforementioned resolutions envisioned a decisive role for the Security Council (e.g. whether Iraq continues to defy

its international obligations and how to subsequently react), but the allies took the liberty of making decisions unilaterally. The revival arguments rely on the presumption that authorisation was only suspended when the cease-fire was agreed to between Iraq and the coalition in April 1991. However, deliberations of the Security Council indicate that the countries had accepted that the cease-fire ended the authorisation, and individual action by a coalition member was no longer a possibility. In conclusion, Operation Iraqi Freedom lacked a clear legal basis.

Challenges and Problems Concerning Human Rights Protection in Iraq

Mart Nutt and Viljar Veebel

Iraq has been struggling with the issue of human rights protection since its independence in 1932, and its complicated history, ethnic and religious tensions have made building a sustainable human rights protection system problematic. There was a hope for progress in terms of human rights in the year 2003, when democracy was re-established and Saddam Hussein was removed from power, but more than ten years later, the situation is just as problematic, and only the violations are different.

To some extent, the roots of human rights protection problems lie in the traditional Iraqi perception of society, where human rights are continually breached on ethnic, religious, sexual and political grounds. Many violations happen because of a lack of knowledge of human rights and the lack of access to education.

The government of Iraq has not been able to ensure effective control over their territory, and no real desire to deal with the protection of human rights can be observed. The last elections in Iraq were declared free and fair, but democracy and especially the rule of law in Iraq leaves much to be desired. There are continuous problems with low administrative capacity, violence and corruption, and an inability, and, in some cases, a reluctance of the government to protect human rights. As a result the government does not safeguard even most basic human rights.

It is increasingly evident that a democratic government alone is not enough to ensure human rights in a situation where human rights are violated

by almost all of the political, ethnical and religious groups sharing the power in Iraq. As a result the prospects of positive developments in the area of human rights in Iraq in the coming years are extremely small.

When we assess the future possibilities for ensuring human rights, we need to keep in mind that in the year 2013, Iraq continues to be a country, where the human rights situation is one of the worst in the world. The withdrawal of foreign military forces has rather changed the human rights situation in Iraq for the worse, because there are now fewer institutions that can ensure human rights, and the administrative incapacity has increased.

International partners (including Estonia), need to take a critical look in the mirror and continue to take steps toward greater responsibility and positive action in terms of human rights awareness and protection in Iraq. Writing negative reports can raise awareness of the problems in Iraq, but in bringing knowledge, expertise and financial assistance is that what can improve the situation in practice.

The Situation of Ethnic and Religious Minorities Before and After Operation Iraqi Freedom

Andres Saumets and Kuldar-Valdo Karula

Iraq has generated interest because of its historical multiethnicity and religious diversity. The Iraqi territory is settled by various peoples, each with their own religious convictions and culture. Only few of these, however, are known to people in the Western world. The violent clashes between different religious communities in Iraq have – with the help of the media – drawn our attention to the mainly Arab Shiites and Sunnis as well as to the Kurdish minority. Yet, the average citizen of the Western world usually has no knowledge of the indigenous peoples of that region, such as the Marsh Arabs, the Assyrians, who are of Christian belief, the Chaldeans, or the Yazidi and the Mandeans, both of whom form their own religious communities.

Ten years after Operation Iraqi Freedom, Iraq is still suffering under a weak government and territorial instability and is hence the scene of a bloody civil war. Violence in any form (suicide attacks, bomb explosions, killings, kidnappings, beatings, threats, etc.) as well as discrimination against ethnic and religious minorities are still an integral part of everyday life in

Iraq. Through its contact with non-Islamic communities and heterodoxical Islamic groups xenophobia has emerged in the Iraqi society. These groups and communities have been regarded as collaborators and a “fifth column” (especially in the case of Christians). The rising Islamic extremism regards ethnic and religious minorities as “impure” and “godless” people who – according to extremists – have no right to life in Iraq anymore. The present situation of most ethnic and religious minorities in Iraq (Christians, Yazidis, Mandeans, Shabaks) is complicated and does not seem to improve. It is these minorities who have suffered the greatest loss after Operation Iraqi Freedom. The mass exodus, sparked by violence, lawlessness and a sense of futurelessness, has greatly endangered the preservation of several historical ethnic and religious communities in Iraq (especially of the Mandeans, but also the Yazidi and Christians) and their long-standing cultural heritage.

One of the main reasons for these problems is the little political influence of non-Islamic minorities as they account for only 5% of the Iraqi society, which makes it impossible for them to protect their rights in a democratic way. The political representation of the minorities in the Iraqi parliament is simply symbolic: In the 2010 parliamentary elections the main non-Islamic ethnic and religious minorities (Christians, Yazidi, Mandeans, Shabaks) in Iraq were allotted only eight seats (five of which went to Christians) in the 325-seat parliament. In addition, disagreement among the communities and confessions weakens the minorities’ influence even more (e.g. the Christians).

After the fall of Saddam’s regime, Iraq has shown progress on its path to democracy as demonstrated by free parliamentary elections. On the other hand, it is important to stress that problems of religion cannot be solved in a democratic society by simply handing the power over the minority over to the majority. After all, the religious minority must be granted the freedom of religion as well.

Post-Saddam Iraq defines itself as an inherently Islamic state, which makes everyday life a challenge for the religious minorities. Islam is an extremely missionary religion which – under certain political conditions and fundamentalist ideas – tries to impose its religious and legal convictions as well as its traditions on the whole society increasingly more forcefully and on an increasingly larger scale. The fact that the Islamic community in Iraq – due to the confrontation between the Shiites and Sunnis – is not united has somewhat prevented the state from quickly becoming Islamic. It is obvious that the present problems and conflicts among the various religious and ethnic groups cannot be solved by changing the present legislative framework

alone, although this would be of help too. The problem rather lies in the weak implementation of the present laws and the inability of the Iraqi government and security forces to protect their citizens adequately, which raises serious doubts as to the country's political sustainability.

After the fall of Saddam's regime, the Shiites have won all state elections. Together with their coalition partners, they now have to shoulder the burden of governing, but the rivalry among the Shiite parties has created tensions in the coalition and divides the religious community. The Sunnis, who despite being a minority governed Iraq under Saddam's regime, are now a strong opposition in the state. They are not satisfied with their role in post-war Iraq and try to improve their position at all costs. During Operation Iraqi Freedom and the period of stabilization and reconstruction that followed it, the Sunnis were among the strongest opponents of the allied forces and the Iraqi government and did not shun violence. The Sunni community provides the main ground for Islamic extremism in present-day Iraq.

Probably the "least noticed" ethnic minority in Iraq are the Turkmen, whose demographic situation would allow for a stronger political role than that of the Christians, Yazidi and Mandeans. However, the Turkmen have been caught in the crossfire of the Arab-Kurdish conflict and their impact on politics in Iraq has remained marginal.

The Kurds, who together with the Arab Shiites show increasingly more potential to govern the state as a coalition partner, are undoubtedly the greatest inner-political winners among the ethnic minorities in Iraq. They have been able to reach and maintain common ground in those questions which are directly linked to their people and greater self-determination. Kurdistan's federal region has up till now remained the most peaceful and stable region in all of Iraq. Its relatively strong ethnic and cultural unity and the forceful presence of Kurdish security forces decrease the danger of attacks by al-Qaeda and other Islamic terror groups. Ethnically heterogeneous areas that are also rich in oil, however, create tensions in the vicinity of Kurdistan. Gaining control over those regions by the Kurds would mean a noticeable increase in their political and economic influence. The Kurds are most certainly still striving for independence, which has so far met the opposition of Arab Sunnis and Shiites as well as the countries around Iraq. The Kurds are willing to take advantage of all opportunities that the deterioration of the already unstable political situation in Iraq should play into their hands.

It is hard to predict whether the Iraqi state will remain united in the future or fall apart into ethnic-religious pieces. One thing, however, is sure: After Operation Iraqi Freedom, Iraq's historical multiethnicity and religious

diversity are very much endangered. The question of whether some ethnic and religious minorities will survive under the present conditions also shows us the extent of the political, ethnic and religious sustainability of Iraq's post-Saddam society.

Ten Years of the War on Terror: Iraqi and Afghan Discourse from 2003 to 2011

Karen Kuldnokk

This article compares the use of military rhetoric in Iraqi discourse (2003–2008), Afghan discourse (2006–2010) and military discourse in the year 2011, ten years after the September 11 attacks and US intervention in Afghanistan. The Iraqi discourse summary is based on the author's doctoral thesis "Military Rhetoric: The Influence of Language Used by the Media in Discourse on Estonian Defence Policy". Regarding Afghan discourse, 26 texts were analysed: 18 published in Postimees Online and 8 in Eesti Päevaleht Online. The research method used in the article is critical discourse analysis. The objective of this article is to find out whether the rhetoric employed in Iraqi and Afghan discourse differs and whether the use of military rhetoric has changed over the last ten years.

The study reveals that the rhetoric of the two discourses under analysis is similar. Both of them advocate military missions using the following arguments: international cooperation and security (including the security of Estonia, partner countries and Afghanistan), help for other countries and support in defending their freedom. The rhetoric of reciprocal support also dominates in both discourses. However, Afghan discourse presents fewer arguments against the activities of the US: such arguments appear mainly in articles looking back at the events following 9/11. The "survival of the fittest" argument is evoked, among others, and the motive of US activities is seen to be one of revenge. Moreover, parallels are drawn between historical events, comparing the activities of the US to the activities of the Soviet Union in 1939.

There are also notable differences between the two discourses. For example, the world peace argument which appeared both in Iraqi and Afghan discourse is not mentioned very often in 2011. The emphasis is placed on

a relationship between allies, pledging that good cooperation will ensure Estonia's independence. Another remarkable feature is that, when the first Estonian serviceman is killed in Afghanistan, neither opinion texts nor editorials appear in *Postimees* or *Eesti Päevaleht*, neither do they present any arguments against the mission. It seems that Estonian society simply receives such news with no accompanying comment. The public attitude towards Estonian servicemen in Afghanistan is expressed mainly in the news which reflects the opinion of the president or politicians.

This analysis of the articles demonstrates the dominance of exalting rhetoric emphasising that all deceased servicemen were brave and faithful people who fought for the independence of Estonia. Both newspapers mentioned above published articles dedicated to Aare Viirmaa who, having lost both legs in Afghanistan, committed suicide. Journalists are critical of Estonian politicians who seem to avoid the topic and are slow to present their condolences to the family of this deceased serviceman. The 'pain threshold' of Estonian society is brought directly under the spotlight: suicide is a shameful act in Estonia. However, this issue has not triggered any public debate, at least not according to the research material used in this article.

In retrospect, the conclusion can be drawn that the rhetoric and underlined arguments employed in the media have not remarkably changed over the last ten years. The only faltering point is people's faith in a safe and secure world.

The Ideology and Geopolitics of Iran through History and Its Influence on Iraq

Holger Mölder, Vladimir Sazonov and René Värk

Throughout its history, from its glorious past to the present, Iran has had a tremendous impact on its neighbouring Iraqi areas. Iran is a regional power, which possesses a good economy, strong armed forces and an emergent nuclear capability. Nevertheless, Iran is governed according to theocratic rule structures and is led by a conservative Shia clergy that follows Islamic law. This has led the country into international isolation. Lately, after the moderate clergyman Hassan Rouhani was elected as a president (2013), Iran has made efforts to re-join the international community. There are basically two general areas which factor into Iran's position in the international community: their

potential to develop a nuclear capability into nuclear weapons and their support of the regime of Assad in Syria. It is difficult to prognosticate changes in Iran's society. Iran is a very ancient country with more than 4500 years of history but with no experience of democracy. For all these centuries Iran has been ruled by autocratic monarchies followed by a theocratic dictatorship for the last 35 years. Shia Islamism, combined with the historical heritage of previous powerful royal dynasties such as the Achaemenides, the Sassanides and the Safavides as well as others, have influenced Iran's ideology up to present times.

However, if we examine Iranian geopolitics from a historical perspective, we have to keep in mind that Iran has historically been one of the largest, most powerful and enduring countries in the Middle East, and its culture, politics and ideology have always had a major impact on its neighbours. The Iranian influence on Iraq is obvious, considering that the majority of the Iraqi population is Shiite Muslims, who are mainly concentrated in the southern region of the country. The Shia holy cities Karbala and Najaf are also located in Iraq. After the international military intervention in Iraq in 2003, which made possible the participation of the Iraqi Shia majority in power sharing and allowed them to dominate the Parliament, the influence of Iran on neighbouring Iraq has only increased. If before the bilateral relationship was characterized by many difficulties and clashes, which led to Iraq-Iran war in 1980–1988, then at present the prospects for future cooperation look promising.

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