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NEGOTIATING IN CIVIL CONFLICT

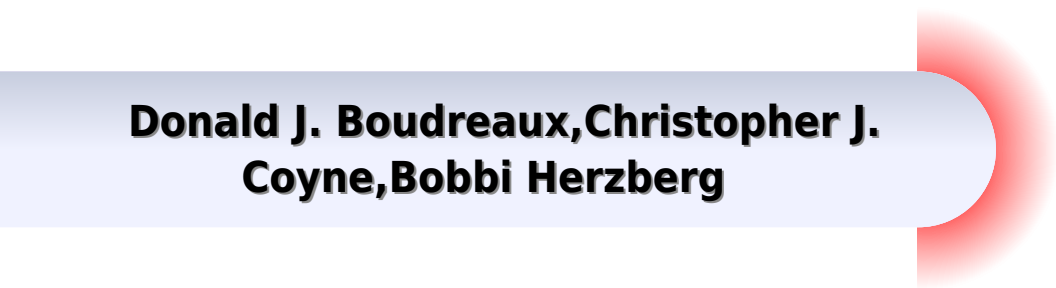


CONSTITUTIONAL CONSTRUCTION AND
IMPERFECT BARGAINING IN IRAQ



Negotiating In Civil Conflict Constitutional Construction And Imperfect Bargaining In Iraq

**Donald J. Boudreaux, Christopher J.
Coyne, Bobbi Herzberg**



Negotiating In Civil Conflict Constitutional Construction And Imperfect Bargaining In Iraq:

Negotiating in Civil Conflict Haider Ala Hamoudi, 2024-05-31 In 2005 Iraq drafted its first constitution and held the country's first democratic election in more than fifty years. Even under ideal conditions drafting a constitution can be a prolonged process marked by contentious debate and conditions in Iraq are far from ideal. Iraq has long been racked by ethnic and sectarian conflict which intensified following the American invasion and continues today. This severe division which often erupted into violence would not seem to bode well for the fate of democracy. So how is it that Iraq was able to surmount its sectarianism to draft a constitution that speaks to the conflicting and largely incompatible ideological view of the Sunnis, Shi'ah and Kurds? Haider Ala Hamoudi served in 2009 as an adviser to Iraq's Constitutional Review Committee and he argues here that the terms of the Iraqi Constitution are sufficiently capacious to be interpreted in a variety of ways allowing it to appeal to the country's three main sects despite their deep disagreements. While some say that this ambiguity avoids the challenging compromises that ultimately must be made if the state is to survive, Hamoudi maintains that to force these compromises on issues of central importance to ethnic and sectarian identity would almost certainly result in the imposition of one group's views on the others. Drawing on the original negotiating documents he shows that this feature of the Constitution was not an act of evasion as is sometimes thought but a mark of its drafters' awareness in recognizing the need to permit the groups the time necessary to develop their own methods of working with one another over time. Die arabische Welt im 20. Jahrhundert Udo Steinbach, 2016-11-16 This history of the Arab world deals with the twentieth century from the beginning of the First World War to the outbreak of the Third Arab Revolt in 2011. The account centres on the development of all 22 member states of the Arab League. The individual discussions are set in the political, economic, cultural and religious contexts in the Arab world as a whole and also in the context of international politics since the end of the Second World War. A separate chapter is devoted to Germany's role in the Middle East. A forward look at the twenty-first century, the century of the Arabs, outlines developmental trends in a region that is currently in a state of dynamic upheaval.

Territory and Power in Constitutional Transitions George Anderson, Sujit Choudhry, 2019-03-07 This collection of essays surveys the full range of challenges that territorial conflicts pose for constitution-making processes and constitutional design. It provides seventeen in-depth case studies of countries going through periods of intense constitutional engagement in a variety of contexts: small, distinct territories; bi-communal countries; highly diverse countries with many politically salient regions; and countries where territorial politics is important but secondary to other bases for political mobilization. Specific examples are drawn from Iraq, Kenya, Cyprus, Nigeria, South Africa, Sri Lanka, the UK, Scotland, Ukraine, Bolivia, India, Spain, Yemen, Nepal, Ethiopia, Indonesia, Aceh, the Philippines, Mindanao and Bosnia Herzegovina. While the volume draws significant normative conclusions, it is based on a realist view of the complexity of territorial and other political cleavages, the country's political geometry and the power configurations that lead into periods of constitutional engagement. Thematic chapters on

constitution making processes and constitutional design draw original conclusions from the comparative analysis of the case studies and relate these to the existing literature both in political science and comparative constitutional law This volume is essential reading for scholars of federalism consociational power sharing arrangements asymmetrical devolution and devolution more generally The combination of in depth case studies and broad thematic analysis allows for analytical and normative conclusions that will be of major relevance to practitioners and advisors engaged in constitutional design

Reconstructing the Middle East Abdulwahab Alkebsi, Nathan J Brown, Charlotta Sparre, 2017-02-24 It is clear by now that the label Arab Spring has proven too simplistic to describe the uprisings that upended the political order of the Arab world in late 2010 Brutal crackdowns and civil conflict in Syria Libya and Yemen dashed the hopes that peaceful democratic revolutions would sweep the region In other countries the departure of authoritarian leaders led to many false starts without producing democratic conclusions Societies that had appeared united in opposition suddenly seemed fractious Youth were once again banished to the political margins *Reconstructing the Middle East* examines the changes that happened within the region from 2010 and the long term challenges and opportunities they present Featuring the work of authors with a diversity of perspectives most of whom hail from the region it addresses key issues of political economic and societal changes the role of young people and of the international community In addition the book deals with the questions of both political and economic reform and the intertwined nature of the two Political reform that allows greater participation will fail to quell frustration if Arabs continue to feel that their job prospects are bleak Similarly Arabs will not accept economic reform that restores growth but continues to fence off the political sphere This book offers a unique perspective on the uprisings by focusing on specific issue areas where change is needed and offering a roadmap for the long road towards state building and new social contracts based on political inclusion respect for pluralism and sustained economic growth As such it will be a valuable resource for students and scholars of Middle East Politics as well as those with an interest in the Arab Spring

Security Sector Reform in Constitutional Transitions Zoltan Barany, Sumit Bisarya, Sujit Choudhry, Richard Stacey, 2019 The proposed collection will examine the central role of security sector reform in constitutional transitions focusing on emerging democracies Neglected as a topic in the constitutional law literature the volume will be the first to offer a sustained analysis of the legal aspects of security reform

Interdisciplinary Studies of the Political Order Donald J. Boudreaux, Christopher J. Coyne, Bobbi Herzberg, 2019-05-29 The political process focuses on the ways that people come together to engage in collective decision making in a variety of contexts The central elements of the political process include the formation of rules the subsequent interactions that take place within those rules and the evolution of rules over time Scholars working in the area of Virginia political economy e g James Buchanan and Gordon Tullock emphasize the importance of applying the tools of economics to non market settings including politics Scholars in this tradition focus on both politics and economics to understand the formation of political rules constitutional political economy as well as the

subsequent play within those rules public choice Scholars in the Bloomington School most notably Elinor and Vincent Ostrom have emphasized three important aspects of the political process and political order The first is the distinction between rules in form and rules in use The rules in form refer to codified rules while the rules in use refer to the rules that people actually follow in their daily lives Together these dynamics generate the political order The chapters in this volume explore and engage the key thinkers and ideas of the Virginia and Bloomington schools of political economy The diversity in topics and approaches will make the volume of interest to readers in a variety of fields including economics entrepreneurship history political science and public policy

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