COMMON INTERESTS, CLOSER ALLIES: HOW DEMOCRACY IN ARAB STATES CAN BENEFIT THE WEST

JAMIE O’CONNELL*

Western leaders have reacted ambivalently to the antigovernment protests during the “Arab Spring” and the political developments that have followed in countries such as Egypt and Tunisia. This Article argues that they should see democratic change in Arab countries as an important long-term goal and seek opportunities to support it. Democratization would advance Western countries’ interests, as well as the ideals they proclaim and the interests of Arab citizens who aspire to govern themselves.

The Article synthesizes empirical social science, social science theory, and policy analysis that strongly suggest that democratization of Arab countries would serve core Western interests in the region. First, democracy would have a stabilizing impact inside Arab countries, reducing the risk of civil war and internal terrorism in the long run and quite possibly in the short run. Second, interstate conflict, which this Article’s original empirical findings show to be frequent in the Arab world, would likely diminish in the long run as more Arab states became democratic. Third, terrorist attacks against Western countries would be less likely to originate in Arab countries if the latter became solid democracies. Finally, Western countries’ fundamental interests in the region align more closely with those of Arab publics than those of Arab dictators, so Arab citizens are likely to be better partners for the West. This benefit will not materialize automatically, however. Western policymakers will have to overcome ordinary Arabs’ well-justified skepticism about their intentions. Their first step must be to transform their attitudes and policies so as to respect Arab citizens as equals and partners.

The Article also considers the possibility that Islamists elected to lead new Arab democracies would use state power to harshly oppress women and minorities. It concludes that this is unlikely, but not out of the question. Continued autocracy is likely to strengthen Islamists’ support anyway, so Western countries should not hesitate to support democratization out of concern over what Islamists might do in office.

Western countries must step carefully as they try to support democratic change in Arab countries. Their power is limited and they cannot be the primary drivers of change. Their efforts must be guided by subtle analysis of local power dynamics and of how their influence functions in each national context.
Tunisian fruit vendor Mohamed Bouazizi’s self-immolation on December 17, 2010, represented a desperate protest against his humiliation by petty bureaucrats, but his story triggered a series of uprisings with cataclysmic political effects, first by fellow Tunisians and then by hundreds of thousands of others in countries across the Arab world. The demonstrations quickly produced

\[\text{(1)}\] Some details of Bouazizi’s treatment may have been distorted as the story was relayed around the region and the world, but its essentials appear to have been accurate. See Wyre Davies, *Doubt over*
extraordinary results, toppling Tunisian dictator Zine El Abidine Ben Ali in January and Egyptian President Hosni Mubarak in February. Algeria’s government lifted a nineteen-year state of emergency and King Mohamed VI of Morocco promised to curb his own power. Protestors in Syria resisted brutal assaults by security forces, while Libyan army units joined civilians in rebelling against leader Muammar Qaddafi. Arab publics remained mobilized throughout 2011, despite a Saudi-led effort to dampen momentum for change. By early 2012, Qaddafi had fallen, the Syrian regime had been abandoned by other Arab dictatorships, and Egyptians were maintaining pressure on the military to permit a transition to full democracy. While some regimes seemed to have turned back democratic challenges, dramatic change had already occurred in Tunisia and appeared likely at least in Egypt and Libya. Conditions remained dynamic around the Arab world, perhaps even in the wealthy Persian Gulf states.

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9  See, e.g., ECONOMIST INTELLIGENCE UNIT, COUNTRY REPORT: BAHRAIN 4 (Dec. 2011) (predicting that Bahrain “will experience persistent political unrest” from 2012 to 2016); Ranya Kadri & Ethan Bronner, Government of Jordan Is Dismissed by the King, N.Y. TIMES, Oct. 18, 2011, at A8 (stating that King Abdullah II is “under growing pressure to accelerate political reform”). There has been modest agitation for broader political rights in Kuwait and Saudi Arabia. See Stéphane Lacroix, Is Saudi Arabia Immune?, J. DEMOCRACY, Oct. 2011, at 48, 57 (documenting modest advocacy for change in Saudi Arabia in 2011, while concluding that “[t]he Saudi regime has largely been able to keep the domestic political situation under control” and “[t]he momentum for political reform has been lost”); Protesters Storm Kuwaiti Parliament, BBC NEWS (Nov. 16, 2011), http://www.bbc.co.uk/news/world-middle-east-15768027. The publics in Oman, Qatar, and the United Arab Emirates have been largely silent. See MARINA OTTAWAY & MARWAN MUASHER, ARAB MONARCHIES: CHANCE FOR REFORM, YET UNMET 18–19 (2011), http://carnegieendowment.org/files/arab_monarchies1.pdf.
10  This Article uses the terms “the West” and “Western countries” as convenient shorthands for a set of developed, democratic countries with similar foreign policy concerns and philosophy. Some of its points apply more to the most powerful Western states—currently the United States, the United Kingdom, France, and sometimes Germany, but historically including other colonial powers, such as...
presumably to avoid alienating them in case they survived. In some cases, they even offered new support. As Ben Ali clung to power, France offered to train his riot police in crowd control.\textsuperscript{11} (Then-President Nicolas Sarkozy later admitted that he had “underestimated” the popular anger against Ben Ali’s regime.\textsuperscript{12}) The Obama Administration had demoted democratization as a foreign policy goal and avoided discussing it, reacting against the Bush Administration’s attempt to create democracy by military force in Iraq.\textsuperscript{13}

Western governments’ positions evolved in close parallel with the shifting balance of power on the ground. Where protests gained strength, Western leaders offered support for the protestors’ “legitimate demands,” but also called on them to remain peaceful, thus implying that security forces might be justified in responding with force. After Ben Ali fled into exile, President Obama proclaimed in the State of the Union Address, “Tonight, let us be clear: the United States of America stands with the people of Tunisia, and supports the democratic aspirations of all people.”\textsuperscript{14} But with Mubarak still in office in Egypt, the President declined to make “clear” that the United States stood with the Egyptian people as well as the Tunisians.\textsuperscript{15} In general, he and his European counterparts were slower to express support for protestors challenging the governments of Western allies, such as Bahrain, which hosts the U.S. Navy’s Fifth Fleet, than enemies, such as Syria, a staunch ally of Iran. Indeed, in October 2011, as Bahrain’s government provoked shock with its brutal response to peaceful protests, the Obama Administration announced it would sell it armored vehicles for which the government had, in the judgment of the \textit{Washington Post}, “no plausible use . . . other than against its own people.”\textsuperscript{16}

Pressure on Western leaders rose as reporters contrasted their tepid equivocations in briefing rooms at the State Department and Quai d’Orsay with the images of protestors calling for democracy in the face of truncheons in Tahrir Square and Pearl Roundabout. Were these brave young Egyptians and Bahrainis not latter-day equivalents of the American and French revolutionaries of 1776 and Belgium and the Netherlands—than to the full group, which includes Canada, most of Europe, Australia, and New Zealand.

\textsuperscript{11} Steven Erlanger, \textit{Sarkozy Says He “Underestimated” Crisis in Ex-Colony, Tunisia}, N.Y. TIMES, Jan. 25, 2011, at A5.

\textsuperscript{12} Id.; Editorial, \textit{Congress Backs Bahrain Protesters When the White House Won’t}, WASH. POST, Oct. 27, 2011, at A20. Human rights groups and at least one Member of Parliament criticized the United Kingdom’s provision of training to Saudi Arabia’s National Guard after members of it were deployed to Bahrain to suppress protests there. \textit{See Jamie Doward & Philippa Steward, UK Training Saudi Forces Used to Crush Arab Spring, GUARDIAN (London)}, May 29, 2011, at A1.

\textsuperscript{13} See Rosa Brooks, \textit{Democracy Promotion: Done Right, A Progressive Cause}, DEMOCRACY, Win. 2012, at 18–19. Before returning to her permanent job at Georgetown University Law Center, Brooks was a senior political appointee in the Department of Defense under Obama and privy to internal discussions of U.S. policy on democratization.

\textsuperscript{14} Mark Landler, \textit{A Region’s Unrest Scrambles U.S. Foreign Policy}, N.Y. TIMES, Jan. 26, 2011, at A1.

\textsuperscript{15} Id. An anonymous Administration official later said that Obama’s vague commitment to the “democratic aspirations of all people” referred to the Egyptian protestors. A few days later, Secretary of State Hillary Clinton deflected a question about whether Mubarak had made sufficient concessions to the protestors, saying, “It’s not a question of who retains power.” \textit{Hillary Clinton Appeals for “Real Democracy” in Egypt, ASSOCIATED PRESS, Jan. 31, 2011, available at http://www.gazettenet.com/2011/01/31/hillary-clinton-calls-egypt-commitment-democracy}.

\textsuperscript{16} \textit{Congress Backs Bahrain Protesters When the White House Won’t}, supra note 12 (noting also that the Administration delayed the Bahrain arms sale in the face of Congressional opposition); see also Rick Gladstone, \textit{Bahrain Voids Health Workers’ Penalties}, N.Y. TIMES, Oct. 6, 2011, at A14.
1789? Obama, Sarkozy, and their fellow leaders soon felt compelled to express clearer support for democracy wherever their allies did not rule—in Syria and Libya, and in Tunisia and Egypt after Ben Ali and Mubarak fell.

Since early 2011, Western political leaders and foreign policy experts inside and outside government have debated whether democratization in Arab countries would serve their countries’ interests. This ambivalence is consistent with a general pattern in the foreign policies of the most powerful Western countries, such as the United States, United Kingdom, and France. Their leaders regularly hail democracy as a universal value and see it as part of their countries’ identities, but only sometimes support it elsewhere. They accept dictators as allies and give them political, material, and sometimes military support. For example, France backed the repressive and eventually genocidal regime of Juvenal Habyarimana in Rwanda until 1994, and since then the United States and United Kingdom have supported Habyarimana’s autocratic overthrower, Paul Kagame. Western democracies have aided or welcomed coups against democratically elected leaders, including in Iran in 1953, Guatemala in 1954, Chile in 1973, and possibly Venezuela in 2002. They have rejected the choices made democratically by citizens in Algeria in 1992 and the Gaza Strip in 2005, backing the Algerian military’s coup to prevent an elected Islamist party from taking power and refusing to engage with Gaza’s Hamas-led government. An analysis of major European Union (E.U.) initiatives aimed at promoting change in the Arab world in the 1990s and 2000s concluded:

[While declaring its commitment to promoting human rights and democracy, by its actions the EU has favoured regimes and practices that ultimately proved intolerable to a broad stratum of Arab society . . . . EU


policies have actually betrayed the professed European values of freedom, democracy and the rule of law rather than exporting them.\textsuperscript{20} U.S. President Franklin Roosevelt’s famous comment on Nicaraguan dictator Anastasio Somoza—“he may be a son-of-a-bitch, but he’s our son-of-a-bitch”—may be apocryphal, but is cited frequently because it captures an important truth about Western democracies’ foreign policies: When push has come to shove, presidents before and after Roosevelt, and their counterparts in Europe, generally have preferred cooperative dictators to independent-minded democrats.

This Article steps into this debate and contributes to policymaking and to scholarship on U.S. and other Western countries’ foreign policies. It synthesizes empirical social science, social science theory, and policy analysis that illuminate the likely impact of democratic change in Arab countries on the primary interests of Western countries, and offers policy recommendations based on that research.\textsuperscript{21} The Article emphasizes large-sample statistical analysis that has generated insights applicable across countries. That analysis complements detailed studies of individual countries, which can consider context with greater nuance. The Article focuses on fifteen “core” Arab states because recent events create an opportunity to reconsider the arguments that have justified Western support for autocracies there and because—while economically and politically diverse—they are sufficiently similar to permit some meaningful generalization. Those countries are Algeria, Bahrain, Djibouti, Egypt, Jordan, Kuwait, Libya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, and the United Arab Emirates.\textsuperscript{22}


\textsuperscript{21} The policy recommendations rest on careful assessment of the evidence supporting the relevant research findings. The findings of academic research can improve policymaking by strengthening its empirical basis. Yet academics generate knowledge through an iterative process, in which conclusions are revised, often dramatically, as new studies refine methodology and bring to bear new data. This raises a tension between inquiry and action. Deciding when it is appropriate to offer a particular research result for policymakers to use in decisionmaking requires exercising judgment. Most research findings, at least in the social sciences, should not inform policymaking until they have been confirmed by numerous studies and accepted by a large majority of those scholars with relevant expertise. Those conditions do not guarantee that a result is true, however—it still may be overturned by later research. Prematurely injecting a particular research finding into policy processes may give policymakers false confidence or, if the result is later overturned, steer them wrong. Yet waiting until a result has been tested so exhaustively that almost no scholar questions it may leave policymakers relying on guesses and assumptions for longer than is necessary. Scholars offering research-based policy recommendations must consider the proper balance carefully. The accounts of social science research in this Article attempt to convey how firmly the research supports each conclusion.

\textsuperscript{22} Throughout this Article, terms such as “Arab countries” and “the Arab world” generally refer to these fifteen “core” countries, which comprise all of the members of the Arab League except seven. The excluded members are the Comoros, Iraq, Lebanon, Somalia, Sudan, Yemen, and Palestine. They differ from the core in various ways that make it difficult to extend to them any generalization about the core regarding the impact of democratization on Western interests. The Comoros, an archipelago, is geographically isolated in the middle of the Indian Ocean and tiny. Iraq faces a real threat of secession by ethnic Kurds. Furthermore, since 2003 Western countries, especially the United States, have played a far more intrusive, sometimes coercive, role in shaping political change in Iraq than they are likely to play in the near future in any other Arab state, and that recent history will be the most important factor shaping Western countries’ future efforts to exert influence there. Lebanon’s political system is already democratic and its problems are unique in the region: It contends with a militarized political faction that is as strong as the central state (Hezbollah); has a population roughly balanced among Christians, Shia Muslims, and Sunni Muslims; and formally divides government posts among its major religious groups. See Mehran Kamrava, \textit{The Modern Middle East: A Political History since the First World War} 328–30 (2011). Somalia is a state only in name and has no functioning government.
The evidence synthesized in this Article suggests that Western governments’ support for autocrats can be self-defeating, as well as hypocritical. Supporting democratization is a very good long-run bet for Western countries—much better than the policy of backing dictators, which has often seemed wise to Western policymakers focusing on the short term. It is true that democratization could reduce Western countries’ influence in the region. Over time, however, treating Arab citizens as potential allies and supporting democratization to empower them can create relationships between Arab and Western countries that are far stronger than the West’s current alliances with Arab dictators. The Article therefore argues that Western governments should see democratization in Arab countries as an important long-term goal and seek opportunities to support it.

Democracy is a complex concept, and philosophers, political scientists, and politicians have devoted immeasurable energy to elaborating various meanings and considering the relationships among them. At its core, of course, democracy means government by the people. For purposes of this Article, two particular conceptions of democracy are especially valuable. First, democratization can be understood as the dispersion, among individual citizens, of influence over the decisions that their society makes collectively. This conception is based on Brad Roth’s description of democracy as characterized by “a relatively equal distribution [among individuals] of power over all social decisions.”

Under this conception, democratic political change involves redistributing power from autocratic rulers to ordinary citizens. That process appears to be central to democratization as many Arab citizens and analysts conceive it.

The second definition of democracy that is especially relevant to this Article comes from the Polity IV dataset. Most quantitative studies of the impact of democracy on countries’ internal stability, on interstate peace, and on transnational terrorism, which this Article synthesizes, measure democracy using the POLITY variable in that dataset. The variable’s value for a particular country is determined

Sudan is considerably more ethnically diverse than other Arab states; recently saw a popular vote lead to the loss of much of the country’s territory, when South Sudan seceded in 2011; and faces major insurgencies in two remaining regions (Darfur and eastern Sudan). See INT’L CRISIS GRP., AFRICA REPORT NO. 174, DIVISIONS IN SUDAN’S RULING PARTY AND THE THREAT TO THE COUNTRY’S FUTURE STABILITY ii (2011) (“Abyei, Southern Kordofan and Blue Nile . . .—along with Darfur, the East and other marginal areas—continue[ ] to chafe under the domination of the NCP [which controls the national government]. Unless their grievances are addressed by a more inclusive government, Sudan risks more violence and disintegration.”). Yemen has barely any functioning state institutions and control of its territory is fragmented among numerous factions, making it a borderline failed state. Palestine is not an internationally recognized state and its political development is likely to be unique: Most of its territory (the West Bank) is occupied by Israel, the rest (the Gaza Strip) is under Israeli blockade, and neither condition is likely to end soon.

Even within the “core” fifteen Arab states, some of this Article’s arguments apply more powerfully than others. The core is diverse. For example, GDP per capita in 2008 ranged from $1,088 in Mauritania to $79,303 in Qatar, according to World Bank figures. GDP Per Capita (Current US $), WORLD BANK, http://data.worldbank.org/indicator/NY.GDP.PCAP.CD (last visited May 17, 2012). At the same time, many of this Article’s arguments may apply beyond these core Arab countries, to the other members of the Arab League and many other countries in the world.

24 Id.
by the processes by which the government’s chief executive—whether titled President, General Secretary, or (like Muammar Qaddafi) Brother Leader—is chosen and how freely he or she is able govern as he or she likes. Under this definition, a “mature and internally coherent democracy . . . might be operationally defined as one in which (a) political participation is unrestricted, open, and fully competitive; (b) executive recruitment is elective, and (c) constraints on the chief executive are substantial.”

The POLITY definition focuses on very specific characteristics of political systems, but comprehends diverse institutional configurations. It is compatible with the conception of democratization as dispersion of political influence: Political systems that are more democratic by the POLITY measure are likely to disperse power more widely among citizens than systems that are less democratic. The POLITY definition of democracy may be more robust than purely electoralist definitions, which count countries as democratic if their citizens choose representatives who make decisions for them. It is thinner, however, than Robert Dahl’s conception of democracy, which requires “tak[ing each citizen’s] preferences equally into account” on the basis of “the principle of equal consideration of interests” or liberal democracy as defined by Larry Diamond, which includes a wide range of institutional characteristics and individual rights.

Democratization in Arab countries will entail fundamental, complex, and unpredictable political change. The shape and timing of the process will vary international relations and peace research has overwhelmingly chosen to use the data from the Polity project.

POLITY is calculated by subtracting the value of the AUTOC variable from that of the DEMOC variable. See Monty G. Marshall et al., POLITY IV Project: Political Regime Characteristics and Transitions, 1800–2010, Dataset Users’ Manual 16–17 (2010), available at http://www.systemicpeace.org/inscr/p4manualv2010.pdf. The POLITY variable was not included in earlier versions of the dataset, but was added with the Polity IV revision to reflect the common practice among researchers of combining DEMOC and AUTOC into a single measure of regime type. The creators of the Polity IV dataset express ambivalence about this practice, because “[t]he original theory [that guided the creation of the AUTOC and DEMOC variables] posits that autocratic and democratic authority are distinct patterns of authority, elements of which may co-exist in any particular regime context.” Id. at 17. The construction of the two variables appears inconsistent with this theory, however. In essence, the two represent mirror images. See id. at 14–16 (detailing the construction of DEMOC and AUTOC). This would seem to obviate the creators’ objection and justify the common practice of combining them, as the POLITY variable and many individual researchers do.

Joseph Schumpeter is the most famous exponent of an electoralist definition of democracy. Schumpeter saw the role of the people as limited to choosing representatives who would then make policy choices. He defined democracy as “that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote.” Joseph A. Schumpeter, Capitalism, Socialism, and Democracy 269 (1947); see also Adam Przeworski, Minimalist Conception of Democracy: A Defense, in Democracy’s Value 23, 23 (Ian Shapiro & Casiano Hacker-Cordon eds., 1999) (endorsing a “‘minimalist,’ Schumpeterian conception of democracy,” which is “just a system in which rulers are selected by competitive elections.”).


This Article uses dynamic terms such as “democratization” and “democratic progress” to mean change that represents, in the long run, progress toward democracy. Assessing whether particular changes represent progress may require complex, context-specific analysis. In some cases, steps that appear neutral or even regressive in the short term may speed the emergence of democracy, albeit over
considerably from country to country, and periods of progress will alternate frequently with stalemate or regression. Countries’ prospects for achieving a high level of democracy vary, too. Tunisia is closest, while Egyptians may need many years to subordinate their military to elected civilian leaders. Libya is struggling merely to build a unified state. For the monarchies on the Persian Gulf, substantial democratic opening may be years away. Those countries that end up highly democratic are likely to employ diverse institutional forms.

The unpredictable, gradual, and context-specific nature of democratization means that the benefits to Western countries of that transformation may appear quickly in some Arab states, but only slowly in others. Western countries cannot simply vary their posture toward democratic change from country to country, however. Polling data on the Arab Spring suggests that many Arab citizens feel a sense of solidarity that transcends national borders. Western countries’ policies in all Arab countries therefore are likely to affect how they are perceived by citizens of each Arab country. Egyptians, for example, will doubt the sincerity of the United States’ commitment to Egyptian democracy and professions of friendship with the Egyptian people if they see that country supporting repression in Bahrain. To be sure, each Western country’s policies toward democratization must vary somewhat among Arab countries, based on its specific interests in each place, level of influence there, and other factors. In crafting those policies, however, Western policymakers should appreciate that the more consistently they can support democratization across all Arab countries, the more likely they will be to benefit from its success in any of them.

The Article unfolds as follows. Part II temporarily suspends the realpolitik perspective that dominates this Article and acknowledges a compelling moral case for Western support of democratization in the Arab world. Part III elaborates the Article’s core argument—that democratization will advance key Western interests in the region. It uses quantitative and theoretical social science and policy analysis to analyze the impact of democratization on stability within Arab countries, international peace, and transnational terrorism. It concludes by arguing that, despite Arab citizens’ current skepticism of the United States and other Western countries, democratization creates an opportunity for Western countries to strengthen their alliances with Arab countries. Part IV addresses a possible counterargument: that democracy will bring to power Islamists who will severely oppress women or religious minorities or abrogate democracy altogether. Part V a longer time frame. There is much that political scientists do not understand about democratization, even after decades of intensively studying it. See MICHAEL McFAUL, ADVANCING DEMOCRACY ABROAD: WHY WE SHOULD AND HOW WE CAN 15 (2009).

31 In a poll conducted in October 2011, researchers associated with the Brookings Institution asked individuals in Egypt, Jordan, Lebanon, Morocco, and the United Arab Emirates about several other societies experiencing political upheaval. By large margins, respondents reported sympathizing more with “rebels seeking government change” than with the governments they were challenging. Eighty-six percent backed Syrian rebels, while just 9% supported the Syrian government. Regarding Yemen and Bahrain, the ratios of support for rebels to support for the government were 89% to 5% and 64% to 24%, respectively. See SHIBLEY TELHAMI, 2011 ANNUAL ARAB PUBLIC OPINION POLL SURVEY 11–13 (2011), available at http://www.brookings.edu/~/media/Files/rc/reports/2011/1121_arab_public_opinion_telhami/1121_arab_public_opinion.pdf.

32 Hezbollah’s experience may be instructive. Some Hezbollah supporters have reportedly lost faith in the group as a “champion of the dispossessed” because it has not clearly condemned the Assad regime in Syria for its brutal repression of the popular uprising there. Anne Barnard, Loyalty to Syria Chief Could Isolate Hezbollah, N.Y. TIMES, Apr. 6, 2012, at A1.
concludes by briefly discussing how Western governments should support democratic change in Arab countries. They should look especially hard for opportunities to assist when countries are in political flux, as Egypt and Tunisia are now. Western countries’ power and wisdom are limited, however, and they cannot be the primary drivers of democratic change. They must proceed with care and patience, guided by subtle analysis of local power dynamics and other aspects of context.

II. A MORAL RESPONSIBILITY: DEMOCRACY AS A HUMAN RIGHT

Most of this Article makes a realpolitik case, based on self-interest, for Western support of democratization in Arab countries. It takes this approach because Western countries’ history of support for dictatorships suggests that their leaders and officials feel little sense of moral responsibility to support democracy abroad, or at least that their sense of moral responsibility carries little weight in policymaking. However, many Western leaders and citizens, including the present author, do believe that moral values should influence foreign policy, and therefore may consider them relevant in considering whether Western countries should support democratization in Arab countries.35 This Article does not emphasize the moral case for Western support, but does not mean to dismiss it. It therefore is worthwhile, before turning to the interest-based case that represents this Article’s main contribution, to sketch the argument that Western countries have a moral obligation to support democratization in Arab countries, independent of any self-interest.

This moral case rests on the principles of the basic equality of all human beings, autonomy, and individual self-determination.34 Together, these principles imply that every human being is entitled to a substantially equal role in governing his or her society.35 “[P]eople, with (or despite) their mix of abilities, education, and experience, will more often decide what is best for them than will aristocrats, autocrats, soi-disant philosopher kings, and sundry experts.”36 Political theory that concludes that human beings should be able to govern themselves applies equally to Westerners and Arabs.37 Arguably, this right is so fundamental that its denial

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33 See, e.g., Barack Obama, Remarks by the President in Address to the Nation on Libya (Mar. 28, 2011) (transcript available at http://www.whitehouse.gov/the-press-office/2011/03/28/remarks-president-address-nation-libya) (“There will be times . . . when our safety is not directly threatened, but our interests and our values are.”).


35 Of course, this principle is compatible with a variety of limiting rules, such as those defining citizenship (i.e., who is a member of which societies) and reserving political rights to adults.


37 See, e.g., THE DECLARATION OF INDEPENDENCE para. 2 (U.S. 1776) (“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness; that to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed; that whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such
The principle of national sovereignty, coupled with the West’s history of imperialism in the Arab world and elsewhere, could undercut this moral argument for Western support of democratization in Arab countries. The principle of national sovereignty is a pillar of the international state system. It protects important values in the international system, including collective self-determination, a right of autonomy in relation to foreigners. It should not be dismissed lightly, especially when considering action by Western countries, which have intervened in and colonized scores of other countries.

In fact, the sovereignty principle does not weaken the moral case. Dictators, in Arab countries or elsewhere, should not be permitted to use the principle to defend their rule. The degree of infringement on national sovereignty entailed by one country’s efforts to support democracy in another would depend largely on the degree to which those efforts dovetailed with the preferences of the target country’s population: A government cannot assert the right of national sovereignty against its own people.

The substitution of democracy for autocracy could infringe on national sovereignty if the country’s citizenry preferred the latter. Available evidence does not suggest this is the case anywhere in the Arab world, however, and in many cases it indicates the opposite. For Algeria, Egypt, Jordan, Kuwait, and Morocco, polls conducted by academics and major polling organizations such as the Pew Research Center and Gallup find strong support for democracy, using a variety of measures. For example, over 70% of Egyptians and Jordanians surveyed in spring 2011 believed that “democracy is preferable to any other kind of government,” while fewer than 20% felt that even “in some circumstances, a non-democratic government can be preferable.” In 2006, more than 80% of Algerians, Jordanians, Kuwaitis, and Moroccans believed that “despite its drawbacks,” democracy was the “best system of government.” More than 90% of Jordanians, Kuwaitis, and Moroccans wanted democracy in their own country, as did 81% of Algerians.


PEW RESEARCH CENTER, ARAB SPRING FAILS TO IMPROVE U.S. IMAGE 41 (2011), available at http://www.pewglobal.org/files/2011/05/Pew-Global-Attitudes-Arab-Spring-FINAL-May-17-2011.pdf. Lebanese and Palestinians, the other Arabs surveyed, felt similarly; 81% and 64% of them, respectively, saw democracy as the best form of government, while 10% and 23% felt a nondemocracy could be better under some circumstances. Id.


See id; see also Mark Tessler & Eleanor Gao, Gauging Arab Support for Democracy, J.
Where data on public opinion about democracy is unavailable, the burden should be on dictators to prove that their people do not want to govern themselves.\textsuperscript{44} In practice, it would be very difficult for them to bear this burden. Doing so would require a process in which citizens could fully consider and express their views on what form of government they preferred. To do so, citizens would need to be able to learn, deliberate, and ultimately register their individual opinions on the matter. This would require freedoms of expression, association, and assembly with only minimal restrictions, as well as a free and fair voting process—which few dictatorial regimes are willing to permit.\textsuperscript{45}

For nearly three-quarters of the core Arab countries on which this Article focuses, the sovereignty argument is yet weaker, or even moot. As a matter of international law, they have waived the right to argue that the principle of sovereignty makes their political system a matter of purely domestic concern. Those countries’ governments have voluntarily obligated themselves to govern democratically, by becoming party to particular international human rights treaties.\textsuperscript{46} (That they violate this commitment systematically does not make it any less binding under international law.) By doing so, they have made their political systems proper subjects of concern for other countries, including Western ones.\textsuperscript{47}

Algeria, Bahrain, Djibouti, Egypt, Jordan, Kuwait, Libya, Mauritania, Morocco, Syria, and Tunisia have done this by becoming party to the International

\textsuperscript{44} They should bear that burden because the argument is self-serving, and thus suspect, and because they are responsible for many of the obstacles to reliable assessment of their citizens’ views on democracy.

\textsuperscript{45} It would be possible to hold a referendum on a country’s form of government and similar fundamental political issues without full democratic freedoms, but the results would likely overrepresent the position supported by the ruling regime. The votes by Chileans not to continue the regime of Augusto Pinochet, in 1990, and by East Timorese to separate from Indonesia, in 1999, therefore are especially convincing, because both were conducted under less than fully free circumstances. (The circumstances were far worse in East Timor than in Chile.) See Thomas C. Wright, \textit{State Terrorism in Latin America: Chile, Argentina, and International Human Rights} 83–84 (2007); Jamie O’Connell, \textit{Applying R2P Principles to Past Conflicts: East Timor 1999}, in \textit{The Responsibility to Protect: Moving the Campaign Forward} 67 (Univ. of California, Berkeley, Human Rights Center, Religion, Politics and Globalization Program & International Human Rights Law Clinic eds., 2007).

\textsuperscript{46} Some scholars have argued that customary international law requires all states to govern themselves democratically, but this is far from a consensus position. Compare Thomas M. Franck, \textit{The Emerging Right to Democratic Governance}, 86 AM. J. INT’L L. 46, 46 (1992) (arguing that democracy is “on the way to becoming a global entitlement”), and Gregory H. Fox, \textit{The Right to Political Participation in International Law}, in \textit{Democracy Governance and International Law} 48, 50 (Gregory H. Fox & Brad R. Roth eds., 2000) (concluding that “a right to political participation has established a firm grounding in both treaty law and international practice”), with Antonio Cassese, \textit{International Law} 371 (2001) (“For the time being, the right to democracy has not yet taken root . . . .”).

\textsuperscript{47} With respect to those countries, Western governments’ general interest in maintaining the credibility of international law may constitute an additional reason to support democratization. International law includes thousands of bilateral and multilateral agreements on scores of subjects, however, so a few countries’ failure to respect their obligations with respect to a few treaties is unlikely to substantially affect its overall credibility.
Covenant on Civil and Political Rights (ICCPR). Article 25 of the ICCPR provides:

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;

(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

(c) To have access, on general terms of equality, to public service in his country.

This amounts to a right to democracy, even though the text of the treaty does not use that word. The United Nations Human Rights Committee, which is charged with overseeing state compliance with the ICCPR and interpreting its terms, has explained that “Article 25 lies at the core of democratic government based on the consent of the people.” Article 25 requires substantive, not merely formal, democracy, according to the Committee: “The conduct of public affairs . . . is a broad concept which relates to the exercise of political power, in particular the exercise of legislative, executive and administrative powers. It covers all aspects of public administration, and the formulation and implementation of policy at international, national, regional and local levels.” Citizens have the right to control their government: “[I]t is implicit in article 25 that [their elected] representatives do in fact exercise governmental power”; toothless legislatures and elected presidents who are beholden to the military do not fulfill Article 25’s

48 None of these states except Kuwait entered a reservation to Article 25. See Vienna Convention on the Law of Treaties arts. 19, 21, May 23, 1969, 1155 U.N.T.S. 331. As discussed below, Kuwait attempted to reserve, under the ICCPR, the right to deny its women citizens the rights to vote and run for office, but has obligated itself to do so under the Convention on the Elimination of All Forms of Discrimination Against Women. See infra notes 56–59 and accompanying text. The countries acceded to or ratified the ICCPR on the following dates: Algeria, Sept. 12, 1989; Bahrain, Sept. 20, 2006; Djibouti, Nov. 5, 2002; Egypt, Jan. 14, 1982; Jordan, May 28, 1975; Kuwait, May 21, 1996; Libya, May 15, 1970; Mauritania, Nov. 17, 2004; Morocco, May 3, 1979; Syria, Apr. 21, 1969; and Tunisia, Mar. 18, 1969. None (even Kuwait) has ever invoked its right, under Article 4 of the Covenant, to derogate from its obligations under Article 25 during a “time of public emergency which threatens the life of the nation.” ICCPR, supra note 39, art. 4(1). Oman, Qatar, Saudi Arabia, and the United Arab Emirates are not party to the ICCPR.

49 ICCPR, supra note 39, art. 25(a).


51 Id. para. 5.
requirements.  

As the structure of Article 25 implies, citizens’ rights to “take part in the conduct of public affairs” are not limited to voting in occasional elections. Elections must be held frequently enough that between them “the authority of the government continues to be based on the free expression of the will of the electors.”

Citizens participate in public affairs outside of elections, by “exerting influence through public debate and dialogue with their representatives or through their capacity to organize themselves.” Meaningful exercise of the rights guaranteed under Article 25 requires freedom of expression, assembly, and association:

In order to ensure the full enjoyment of rights protected by article 25, the free communication of information and ideas about public and political issues between citizens, candidates and elected representatives is essential. This implies a free press and other media able to comment on public issues without censorship or restraint and to inform public opinion. It requires the full enjoyment and respect for the rights guaranteed in articles 19, 21 and 22 of the Covenant, including freedom to engage in political activity individually or through political parties and other organizations, freedom to debate public affairs, to hold peaceful demonstrations and meetings, to criticize and oppose, to publish political material, to campaign for election and to advertise political ideas.

The sources of Kuwait’s legal obligation to respect and protect the rights listed under Article 25 for its female citizens are slightly more complicated than the sources of that obligation for the rest of the Arab states that are party to the ICCPR. The latter have committed through the ICCPR to uphold those rights for all their citizens. When Kuwait became party to the ICCPR it attempted to reserve the right to exclude women from voting and running for office, while accepting Article 25’s applicability to its male citizens. That reservation may be invalid, however, because international law bars states from entering a reservation to a treaty that is “incompatible with the object and purpose of the treaty.” Even if Kuwait’s
ICCPR reservation is valid, its government rendered the reservation moot by becoming party to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). States party to the CEDAW commit to “ensure to women, on equal terms with men, the right to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies.”58 This is exactly the obligation that Kuwait sought to avoid through its ICCPR reservation. So Kuwait refrained from obligating itself through the ICCPR to provide these rights to women—but then bound itself to do so through the CEDAW.59

While the sovereignty principle should not inhibit Western countries from supporting democratization in the Arab world, it should influence how they do so. The principle reinforces the prudential arguments for following the lead of local democratizers, rather than trying to impose change from outside, and for exercising care in choosing methods for supporting change.60 Generally, however, local autocrats’ infringement on the individual sovereignty of their citizens should be seen as more egregious than the potential infringement on national sovereignty caused by Western assistance to indigenous democrats.

Principles of the equality of all human beings, autonomy, and individual self-determination create a powerful moral case that Western countries should wish for democracy in Arab countries, as well as others, and facilitate its emergence as

Comment 24, the Human Rights Committee claimed the right to evaluate the validity of reservations to the ICCPR. Human Rights Committee, General Comment No. 24: Issues Relating to Reservations Made upon Ratification or Accession to the Covenant or the Optional Protocols Thereto, or in Relation to Declarations Under Article 41 of the Covenant, U.N. Doc. CCPR/C/21/Rev.1/Add.6 (1994), paras. 16–18 [hereinafter Gen. Cmt. 24]. France, the United Kingdom, and the United States, among other states, vigorously contested this assertion. See McGrory, supra, at 803. According to the Committee, the “object and purpose” of the ICCPR is “to create legally binding standards for human rights by defining certain civil and political rights and placing them in a framework of obligations which are legally binding for those States which ratify; and to provide an efficacious supervisory machinery for the obligations undertaken.” Gen. Cmt. 24, supra, para. 7. In the Committee’s view, certain rights are so fundamental that any reservation weakening a state party’s obligation to respect them would be incompatible with the ICCPR’s object and purpose. Id. paras. 8–11. In fact, one of the Committee’s examples of an invalid reservation clearly encompassed Kuwait’s reservation of the right to deny the rights to vote and run for office solely to women: “[A] reservation to the obligation to respect and ensure the rights, and to do so on a non-discriminatory basis (article 2 (1)) would not be acceptable.” Id. para. 9. It therefore seems nearly certain that the Committee would find Kuwait’s reservation to be incompatible with the object and purpose of the ICCPR. In that case, the Committee would sever the reservation and consider Kuwait to be bound by Article 25, as if it had entered no reservation in the first place. Id. para. 18. This conclusion that incompatible reservations are severable is—like the Committee’s assertion of its right to determine which reservations are incompatible—highly controversial. See IAN BROWNLIE, PRINCIPLES OF PUBLIC INTERNATIONAL LAW 615 (7th ed. 2008); Baylis, supra, at 329. Kuwait’s legal obligations toward women under Article 25, therefore, are uncertain.


59 Kuwait’s reservation to Article 25 of the ICCPR also provided that “the provisions of the article shall not apply to members of the armed forces or the police.” Reservation by the Government of Kuwait to Article 25, supra note 56. No provision of the CEDAW counters this part of the ICCPR reservation, and it is less likely than the part excluding women to be deemed incompatible with the object and purpose of the ICCPR.

60 Part V, below, elaborates on how Western countries should—and should not—support democratization.
they can. A defense of autocracy based on national sovereignty would be unconvincing, unless backed by the kind of evidence of public support for that system of government that would be difficult to muster in the absence of democracy itself. In any case, the governments of most of the core Arab countries have agreed, under international law, that their people have the right to govern themselves democratically.

III. ARAB DEMOCRATIZATION AND WESTERN INTERESTS

The foreign policies of Western countries, and others, reflect policymakers’ and citizens’ conceptions of their national interests more than their ideals. This Part explains how democratic change in the Arab world would advance important Western interests in that region, based on qualitative and quantitative social science research and policy analysis. Democratization is a very good foreign policy bet for Western countries, even though it is not an “international cure-all” that will solve every problem or advance every interest. Subpart A argues that Arab countries would likely be more internally stable—a central concern of Western foreign policy—if they were governed democratically. Democracy facilitates peaceful negotiation of the competing interests found in any society. The results of empirical studies of the links between democracy and internal stability strongly support the conclusion that democratization will enhance the stability of Arab countries in the long run, and for many of them in the short run as well. Subpart B elaborates on Immanuel Kant’s “democratic peace” thesis—that democracies do not fight wars against each other—which has acquired extensive scholarly support in recent years. As Arab countries democratize, the risk of military conflict involving them and other democracies, including in the West, is likely to decline. Subpart C argues that democratization in Arab countries would reduce the threat of terrorism against the West, for reasons set out by the United States’ official counterterrorism policy and supported by academic research on terrorism. Subpart D addresses the concern that, given a choice, Arab citizens will choose leaders less friendly to Western countries than current or recently deposed dictators. It argues that Arab countries’ interests in relation to the West have not changed, so dramatic shifts in their foreign policies are unlikely in the near future. More importantly, democratization creates an opportunity for Western countries to solidify cooperation with Arab countries, because their fundamental interests dovetail with those of the bulk of the population across the region. Ultimately, Arab citizens who are convinced of Western countries’ benign intentions will be more reliable allies than dictators concerned only with their own survival and enrichment. The Subpart also argues that concern for Israel’s security should not dilute Western enthusiasm for Arab democratization. These four likely benefits—greater internal stability, less interstate conflict, less transnational terrorism, and stronger and more reliable long-term alliances—together constitute a strong case that democratization in Arab countries will serve Western countries’ interests as well as their values.

Democratization in Arab states would be likely to reduce the chance that they suffer severe internal conflict, including civil war and domestic terrorism, in the long run and possibly even in the short run. As the sustained, violent rebellions in Libya and Syria show, even very severe repression does not guarantee stability. Secretary of State Clinton was correct to “recognize that the real choice is between reform and unrest.” Theory and empirical studies solidly support the conclusion that democratization will reduce the chances of civil war. Research on domestic terrorism is much thinner, but on balance supports the same conclusion. Democratization should reduce the risks of instability most quickly in the Arab countries that already permit some political competition, nearly half of the total. In full-fledged autocracies, democratic change could initially increase the risk of instability, but would diminish it in the long run; even when elevated, the risk would remain low due to their very high incomes and other factors.

Subpart 1 explains Western countries’ concern about major instability in Arab countries. Subpart 2 synthesizes political science research and theory on the long-run impact of democracy on stability. Subparts 3 and 4 present research and theory that illuminate democracy’s short-run impact on the Arab countries that permit some political competition already and on the hardline autocracies. Subpart 5 combines the long run and short run findings and notes that Western countries may be able to help Arab countries avoid civil war or other severe internal instability during the process of democratization.

1. Western Interests in Internal Peace

Peace within Arab countries is one of Western countries’ top priorities in the region for numerous reasons. Its effect on oil prices is among the most important. The fifteen core Arab states control more than 40% of world oil reserves. Many of them lie close to Iran and Iraq, which control a further 20% of world reserves, and to the critical oil transit routes of the Persian Gulf and Suez Canal. Serious internal unrest, domestic terrorism, and especially full-scale civil
war could threaten oil production or transportation.\textsuperscript{67} This would raise oil prices or increase uncertainty about them, and thus threaten economic growth in Western and other countries. The risk of violent instability within Arab countries is substantial—the Libyan and Syrian insurrections are not unique. Approximately 150,000 Algerians died during that country’s civil war in the 1990s.\textsuperscript{68} Soldiers in Egypt assassinated President Anwar Sadat in 1981, and terrorists temporarily crippled the country’s tourism industry by killing fifty-eight foreign tourists at Luxor in 1997.\textsuperscript{69}

Western countries’ concern for internal stability in the Arab world rests on global preferences as well as region-specific concerns. Conflict inside a country may disrupt its trade, including with Western countries. Minimizing the likelihood of internal strife also promotes international peace and stability, because national borders seldom contain major internal conflict. Refugees flee to neighboring countries, while illicit trade in weapons and plundered commodities often leaves a trail of crime, violence, and corruption across the entire region.\textsuperscript{70} Furthermore, states often take advantage of civil wars to intervene in other countries and advance their parochial interests, without international permission.\textsuperscript{71}

Definitions of terrorism itself vary somewhat within the social science literature cited in this Article, but these differences do not affect the arguments made in this Article about the impact of democracy on its incidence. \textsuperscript{67} For example, Libya’s oil exports fell eighty-seven percent in the first three months of its civil war, reflecting the direct impact of its civil war and the indirect impact of international sanctions imposed in response to the Qaddafi regime’s brutal efforts to suppress protests early in the year. The country produced 697,000 barrels from March through May 2011, compared to 5,367,000 barrels during the same period in 2010. \textsuperscript{68} RACHID TLEMÇANI, ALGERIA UNDER BOUTEFLIKA: CIVIL STRIFE AND NATIONAL RECONCILIATION 4 (2008).

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may also feel pressure to intervene on humanitarian grounds if internal unrest turns violent. In March 2011, fear that Libyan government forces were about to massacre civilians in Benghazi motivated Western leaders to push through a U.N. Security Council resolution authorizing military action against those forces and to begin a major bombing campaign.72

Stability does not mean social passivity. Western policymakers’ conflation of those conditions has contributed to their mistaken conclusion that dictatorships in Arab countries and elsewhere serve Western interests. Western countries benefit from an absence of severe conflict within Arab countries, but do not need those countries to be politically inert or entirely free of conflict. Peaceful transitions from one government to another, vigorous dissent, change and uncertainty in government policy, and protests by citizens—sometimes even involving violence—do not threaten Western interests. Indeed, they are essential means for managing citizens’ heterogeneous preferences and preventing those from triggering severe conflict.

2. The Long-Run Impact of Democracy

We would expect democratization in Arab states to enhance their internal stability in the long run because a well-established, full democracy can defuse popular grievances and allocate the country’s resources, including oil wealth, in accordance with its citizens’ preferences.73 Democratic political processes can reduce social conflict and prevent terrorism and civil war by providing nonviolent means for the resolution of social dissensus, or at least pragmatic compromise on policy issues and resource distribution. Many policymakers and scholars see some form of democracy as the most effective mechanism for peacefully managing conflicting preferences and interests within societies. Without such a mechanism, serious social conflict, domestic terrorism, and even civil war may result.74 Political


73 Gleditsch et al., supra note 25, at 160 (“Democratic governance in itself can be seen as a conflict management system where different interests meet and are resolved peacefully.”).
74 Rachel Briggs explains this logic with respect to domestic terrorism:

The literature on terrorism suggests that extremism is best tackled through democracy, not in spite of it; democracy in most cases is a deterrent against terrorism. . . . This can be explained in four ways. First, democracy may produce governments that are more efficient, which means that the population has fewer reasons to hold grievances. Second, democracies may produce governments that are fairer, giving distinct social groups less specific cause for grievance. Third, democracies are perceived as more legitimate so people accept political outcomes more readily. And fourth, democratic governments tend to resort to less repressive methods to deal with economic, ethnic, and religious tensions.

Rachel Briggs, Hearts and Minds and Votes: The Role of Democratic Participation in Countering Terrorism, 17 DEMOCRATIZATION 272, 277–78 (2010); see also Franck, supra note 46, at 25 (arguing that democracy reduces the risk of civil war by helping form social “consensus regarding what is fair,” because it “provides the only known process by which a genuine social discourse can proceed among persons legitimately representing the spectrum of opinions and interests in a community”). Some extremists may be bent on using violence, such as terrorism, but democracy can reduce their support among less ideologically committed fellow citizens. See Thomas Plümper & Eric Neumayer, The Friend of My Enemy Is My Enemy: International Alliances and International Terrorism, 49 EUR. J. POL. RES. 75, 80 (2010) (“Democracies are . . . likely to inflict fewer grievances on the terrorists’
scientist Tamara Cofman Wittes foretold the Arab Spring when she predicted in 2008 that the combination of rising inequality, the unsatisfied expectations of growing youth populations, and economic stagnation could lead to serious domestic unrest in many Arab countries.\textsuperscript{75} (Wittes became Deputy Assistant Secretary of State for Near Eastern Affairs in late 2009 and held the post through the Arab Spring, until early 2012.\textsuperscript{76}) The most attractive long-term solution from the point of view of Western countries, she argued, was a “new social contract, rooted in economic and political liberty,” and amounting to full-scale democracy.\textsuperscript{77}

Analyzing the Arab Spring, Secretary of State Clinton argued in November 2011, “[T]he greatest single source of instability in today’s Middle East is not the demand for change. It is the refusal to change.”\textsuperscript{78} She looked to democracy to “help divided societies to air and hopefully resolve their differences” and “channel people’s energies away from extremism and toward political and civic engagement.”\textsuperscript{79}

Full-blown autocratic governments may be able to maintain social peace through repression, but as the examples of Libya and Syria suggest, their capacity to maintain order in the long run is questionable. Large-sample empirical political science findings support this conclusion. Direct statistical analysis has not been able to determine whether civil war is more likely to break out in an autocracy than in a democracy—or vice versa.\textsuperscript{80} The same is true for terrorism.\textsuperscript{81}

More holistic analysis of the empirical literature, however, indicates that “the most reliable path to stable domestic peace in the long run is to democratize as much as possible.”\textsuperscript{82} The key is to combine findings on what types of political regimes are most likely to change with findings on what types are most prone to internal conflict. Political scientists divide regimes into autocracies, democracies,
and semidemocracies, which permit more political competition than autocracies, but less than democracies. Statistical analyses of scores of countries over long periods consistently find that civil war occurs much more frequently in semidemocracies than in either autocracies or democracies. They also have found that autocracies are more likely to liberalize somewhat and become (less stable) semidemocracies than democracies are to slide backward and become semidemocracies. So although autocracies are not clearly less stable than democracies while they remain autocracies, they are at more risk of civil war than are democracies, because they are more likely to become civil-war-prone semidemocracies.

3. The Short-Run Impact of Democratization: Semidemocracies

The short-term impact of democratization on stability in Arab countries is less clear. Social science research provides reasons for both optimism and pessimism. As noted above, the risk of civil war is clearly higher in semidemocracies than in autocracies, and the risk of domestic terrorism appears to be higher.

This means that democratization is likely to reduce the risk of instability most quickly in Arab countries that permit some degree of political participation but fall short of full democracy—that is, those that are semidemocracies. By the criteria used in most quantitative research on internal stability, nearly half of the core Arab states on which this Article focuses were semidemocracies even before the Arab Spring: Algeria (since 1995), Djibouti (since 1999), Egypt (since 2005), Jordan (since 1989), Mauritania (since 2005), and Tunisia (since 1987) clearly

83 See James D. Fearon & David D. Laitin, Ethnicity, Insurgency, and Civil War, 97 AM. POL. SCI. REV. 75, 85 (2003); Gleditsch et al., supra note 25, at 181 (finding “weak support” for this conclusion); Hegre et al., supra note 82, at 38–39; Edward D. Mansfield & Jack Snyder, Democratization and Civil War 38–39 (Columbia University, Saltzman Working Paper No. 5, 2008); see also Elbadawi & Sambanis, supra note 80, at 331 (examining the prevalence of civil war—the likelihood that a state is engaged in civil war in any given year—rather than the risk of it breaking out in that year, and finding democracies to be more stable than semidemocracies); Gleditsch et al., supra note 25, at 170–72 (summarizing other studies). These studies control for a variety of factors other than regime type that may affect the risk of civil war. Some methodological disputes remain. See Gleditsch et al., supra note 25, at 171; Shawn Treier & Simon Jackman, Democracy as a Latent Variable, 52 AM. J. POL. SCI. 201, 202–03, 212 (2007) (arguing that the coding of democracy in the dataset on which most internal stability studies are based is subject to significant measurement errors and finding no significant relationship between level of democracy and risk of civil war after correcting for those).

84 See Findley & Young, supra note 66, at 370 (examining only domestic terrorism); cf. Abadie, supra note 81, at 53 (finding this pattern in an analysis of the relationship between civil liberties, rather than democracy, and the risk of terrorism).

85 Hegre et al., supra note 82, at 44. Democracies may have longer life expectancies than autocracies because they make it easy to change a country’s leadership without undermining its system of government. Autocracies, by contrast, are usually set up to make both difficult, so efforts to change leadership are more likely to be so forceful that they shift the system as well. Michael McFaul argues:

Liberal democracies rarely unravel and wealthy liberal democracies almost never collapse. The longer a democratic regime survives, the less likely it will collapse. By contrast, autocracies that sustain economic growth continually face the challenge that an increasingly wealthy, educated, and urbanized society may eventually demand political change. Conversely, autocracies that fail to generate economic growth can become unstable. The longer an autocracy survives, the more likely it will collapse.

McFaul, supra note 30, at 57.
qualified, and Morocco was very close.\footnote{Most studies of the relationship between regime type and civil war define countries for which the value of the POLITY variable in the Polity IV dataset ranges from -5 to +5 (inclusive) as semidemocracies (also known as “anocracies”). They define countries with POLITY values of -6 to -10 and +6 to +10 as autocracies and democracies, respectively. See, e.g., Fearon & Laitin, supra note 83, at 81; Gleditsch et al., supra note 25, at 172 (“[T]he empirical literature in international relations and peace research has overwhelmingly chosen to use the data from the Polity project.”); Hegre et al., supra note 82, at 36, 38 (Table 1); Mansfield & Snyder, supra note 83, at 8. For individual countries’ POLITY scores, see Monty G. Marshall and Keith Jaggers, Polity IV: Data Series version 2010, http://www.systemicpeace.org/inscr/p4v2010d.xls (last visited Sept. 5, 2011). Algeria, Djibouti, Egypt, Jordan, Mauritania, and Tunisia have had POLITY values between -5 and +5 since the date given in parentheses in the text for each country. \textit{Id.} Morocco has been on the verge of semidemocracy, with a POLITY score of -6, since 1998. \textit{Id.}}

If the general pattern of democracies being less prone to civil war than semidemocracies held true, then instantly transforming these semidemocracies into democracies would make them more stable. The relationship between level of democracy and risk of civil war follows a “inverted U” pattern: Countries with very low or very high levels of democracy (classified by political scientists as, respectively, autocracies and democracies) are at less risk than countries with middling levels of democracy (i.e., semidemocracies). A common explanation for this inverted U pattern is that it reflects two parallel changes that may occur as countries move from autocracy to democracy and that have opposite effects on their vulnerability.\footnote{See Fearon & Laitin, supra note 83, at 85; Hegre et al., supra note 82, at 38–39; Mansfield & Snyder, supra note 83, at 38–39. \textit{But see} Elbadawi & Sambanis, supra note 80, at 331 (finding that semidemocracies were less likely to be engaged in civil war in any given year than autocracies).} On the one hand, many scholars believe that democratization increases citizens’ ability to rebel or commit terrorism. As repression declines, citizens become more willing to oppose their government and they have more freedom to communicate, meet, and organize. They can use those freedoms for violent as well as peaceful purposes. On the other hand, and in parallel, they believe that democratization reduces citizens’ motivation to engage in political violence, because democratic governments are more responsive to their citizens and are better than autocracies at mediating among social groups with conflicting preferences.\footnote{See, e.g., Briggs, supra note 74, at 278; Gleditsch et al., supra note 25, at 160 (describing the two parallel changes and how they could affect civil war); James M. Lutz & Brenda Lutz, Democracy and Terrorism, 4 PERSP. ON TERRORISM 63, 64 (2010). Violence during liberalization processes may also result from citizens’ frustration with incomplete or cosmetic reforms. DALLA DASSA KAYE ET AL., MORE FREEDOM, LESS TERROR?: LIBERALIZATION AND POLITICAL VIOLENCE IN THE ARAB WORLD 168 (2008).} As a country moves from autocracy into semidemocracy, citizens’ ability to commit violence may increase faster than their motivation diminishes. This would explain the finding that the risk of violence rises as a country moves from autocracy into semidemocracy.\footnote{Thus semidemocracies are “neither as effective as autocracies in repression nor as good as democracies in peaceful conflict resolution.” Nicholas Sambanis, \textit{What is Civil War: Conceptual and Empirical Complexities of an Operational Definition}, 48 J. CONFLICT RESOL. 815, 836 (2004).} As a country approaches full democracy, however, this theory posits that citizens’ ability to commit violence rises more slowly, while their satisfaction increases sharply. This would explain why the risk of violence would decrease as a country shifted from semidemocracy into democracy.\footnote{Unfortunately, there is not enough research using more than three regime categories to justify conclusions about the impact on stability of, for example, a country shifting from being a more restrictive semidemocracy to a less restrictive one.}
Mauritania, and Tunisia to full democratic status would, if the general social science finding held, reduce the risk of civil war in those countries. 91

The inverted U finding describes the relationship between a country’s risk of civil war and its type of government as a static matter. Moving from semidemocracy to democracy involves changing the type of government, however, and additional social science research illuminates the impact of change itself on stability. Not surprisingly, political scientists have found, holding other factors constant, that political change may increase the risk of instability in the short run: Civil war is more likely to break out during and just after periods of political transition than when the regime is not changing. 92 However, this risk is temporary for countries that continue to progress, and declines as countries consolidate democracy. 93

The net effect of democratization on the Arab semidemocracies, then, consists of an immediate increase in the risk of instability due to the effect of political change, but a corresponding decrease due to stabilizing effect of achieving democracy. 94 It is true that these countries might gain some stability by sliding back into autocracy rather than progressing to democracy. However, there is some evidence that change in a democratic direction tends to create less risk of civil war than change in an autocratic direction. 95 Furthermore, as noted in the Subpart 2, above, autocracy is a stormier harbor than democracy over the long term. 96 The general findings of large-sample quantitative research suggest that moving toward

91 The same analysis may hold for Morocco, which is probably free enough to qualify as a semidemocracy now. Morocco was nearly a semidemocracy before its 2011 reforms. See Marshall & Jaggers, supra note 86 (value of POLITY variable in Polity IV dataset was -6 for Morocco in 2010, just below the standard threshold for semidemocracy of -5); see also Morocco’s King Mohammed Unveils Constitutional Reforms, supra note 3. The same analysis may apply to Libya, but it is too early to classify its post-Qaddafi regime as autocratic, semidemocratic, or democratic.

92 See Hegre et al., supra note 82, at 38–39; Mansfield & Snyder, supra note 83, at 15. On this point, too, the literature on terrorism is thinner but suggests the same pattern. See Kis-Katos et al., supra note 81, at S26–S27.

93 Mansfield & Snyder, supra note 83, at 16–17 (finding that “complete democratization is somewhat less likely to precipitate civil war than incomplete democratization and that stable democracies are especially unlikely to experience civil violence”).

94 See supra text accompanying notes 83–86. Analysis by Hegre and his co-authors shows the independence of the two risks: Their regression model includes level of democracy and political change as separate independent variables and finds both to have statistically significant associations with civil war. See Hegre et al., supra note 82, at 39.

95 Fearon and Laitin found that “moves away from democracy are much more strongly associated with civil war onset in the next year than moves toward it.” Fearon & Laitin, supra note 83, at 85 n.32. Cederman, Hug and Krebs found that while both autocratization and democratization increased the risk that civil war would break out, civil war was likely to take longer to break out after liberalization than after political closing. Lars-Erik Cederman et al., Democratization and Civil War: Empirical Evidence, 47 J. PEACE RES. 377, 386–87 (2010). Thus, civil war is more likely to break out quickly when a country becomes less democratic, while democratization would provide more time for the government and foreign powers to take action to contain unrest and prevent civil war. On the other hand, Mansfield and Snyder found a lower chance of civil war breaking out in states that moved from semidemocracy to autocracy than in those that moved from semidemocracy to democracy. Mansfield & Snyder, supra note 83, at 40.

96 See Anthony Shadid, Bahrain Boils Under the Lid of Repression, N.Y. TIMES, Sept. 16, 2011, at A1 (“The crackdown here has won a tactical and perhaps ephemeral victory [over pro-democracy protestors] through torture, arrests, job dismissals, and the blunt tool of already institutionalized discrimination against the island’s Shiite Muslim majority. . . . Taken together, the repression and warnings of radicalization may underlie an emerging dictum of the Arab uprisings: violence begets violence.”).
full democracy, not reverting to authoritarianism, is the better strategy for alleviating semidemocracies’ elevated risk of civil strife.

4. *The Short-Run Impact of Democratization: Autocracies*

The analysis in Subpart 3 suggests that Arab countries governed by full-fledged autocracies, such as Saudi Arabia, could face an increased risk of instability in the short run if they opened their political systems substantially, both because they would become semidemocracies and because of the effect of any kind of political change. Closer examination of the political science suggests that the risk of the most destabilizing violence, civil war, is likely to remain very low in those countries, even if political change occurs. Population size and economic development consistently have been found to be more closely associated than level of democracy with the risk of civil war. Specifically, civil wars are rare in countries with high levels of economic development (measured either as high per capita income or high energy consumption), small populations, or better, both.97

The pure autocracies in the Arab core include Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, Syria, and the United Arab Emirates.98 Syria appears to be on the verge of civil war.99 The per capita income of each of the other countries doubled the world average in 2008, and three of the six tripled it.100 Existing studies do not make it easy to translate these figures into the probability that a civil war will break out in each country. However, a leading study ranked countries by per capita income and calculated the chance of civil war breaking out in any given year at 11% for countries at the fiftieth percentile, but just 1% for those at the ninetieth percentile.101 Population size, too, is a reason for optimism for most: the populations of Bahrain, Kuwait, Oman, and Qatar are well below the world average in population, and the UAE is close to the average; only Saudi Arabia has substantially more people than the global average.102 The countries’ heavy reliance on oil production increases their risk of civil war,103 but the long period since they

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97 See, e.g., Fearon & Laitin, supra note 83, at 83, 85; Mansfield & Snyder, supra note 83, at 38–39.
98 These are the states of the Arab “core,” see supra text accompanying note 22, that have a POLITY value less than -5 in the Polity IV dataset in 2010, omitting Libya and Morocco.
99 United Nations High Commissioner for Human Rights Navi Pillay estimated in December 2011 that Syrian security forces had killed more than 5,000 people. *Syria Should Be Referred to ICC, UN’s Navi Pillay Says*, BBC NEWS (Dec. 13, 2011), http://www.bbc.co.uk/news/world-middle-east-16151424. One of the most widely used definitions of civil war in the political science literature uses a threshold of 1,000 battle deaths, excluding civilian deaths. See Hegre et al., supra note 82, at 36. How many of the 5,000 casualties in Syria would qualify as battle deaths is unclear.
100 *GDP Per Capita (Current US$)*, supra note 22 (providing the following GDP per capita figures: world average: $9,161; Bahrain: $20,813; Kuwait: $58,384; Oman: $22,968; Qatar: $79,303; Saudi Arabia: $18,203; and UAE: $50,727).
101 Fearon & Laitin, supra note 83, at 83.
102 See Population, total, WORLD BANK, http://data.worldbank.org/indicator/SP.POP.TOTL (last visited May 22, 2012). Fearon and Laitin found that the probability of civil war breaking out in a country at the tenth percentile in population was 39% that for a country at the ninetieth percentile. Fearon & Laitin, supra note 83, at 85 (the odds, respectively, were 6.4% and 16.4%).
103 Gleditsch et al., supra note 25, at 184; Fearon & Laitin, supra note 83, at 85; Mansfield & Snyder, supra note 83, at 17.
gained independence and the absence of civil war in their recent histories.  

5. **Synthesis**

Democratization is very likely to substantially enhance the internal stability of Arab countries. We can be most confident about the long run, but the benefits of democratization may appear quickly in countries with less autocratic governments, such as Egypt, Tunisia, and Jordan. In more authoritarian states, democratization could increase the chances of instability in the short term. Yet many of these countries are well positioned by such factors as level of economic development, population size, and history to avoid the most serious violence, civil war. Finally, the strategic importance of the region is likely to motivate powerful foreign actors to invest considerable diplomatic, human, financial, and, under extreme circumstances, military resources to maintain essential levels of internal stability in Arab countries during transitional periods.

Analysis of Arab countries, in particular, supports the conclusion that democratization is likely to enhance, not reduce, their stability. A 2008 Rand Corporation study assessed whether liberalizing political reforms in Algeria, Bahrain, Egypt, Jordan, Morocco, and Saudi Arabia from 1991 to 2006 alleviated or exacerbated terrorism and political extremism. After analyzing each country in depth, it concluded that while there were “dangers and risks inherent in reform processes” in the countries studied, “there are also dangers in trying to stymie such processes.” On balance, “pressing ahead with genuine democratization, not just limited reforms, may stem extremism over time,” and “serious attention to liberalization measures in this region . . . can serve U.S. interests over the long term.”

The West’s own agency provides an additional reason for optimism that Arab states can remain stable if they democratize: Western countries can take action to help maintain basic stability during these transitions. Unlike many democratizing countries whose experiences affect the results of the statistical studies discussed above, those in the Arab world are considered strategically vital by the most powerful states in the world. In the event of serious unrest in a democratizing Arab country, it would clearly be worthwhile for the United States and other Western countries—perhaps assisted by China and other non-Western powers—to ensure that the country was not destabilized.

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105 Hegre et al., *supra* note 82, at 39 (Table 2, results for 1816–1992); Mansfield & Snyder, *supra* note 83, at 38–39.
106 The risk of civil war may be higher in Bahrain, despite its wealth. There a Sunni minority dominates an impoverished Shia majority and unrest in 2011 followed sectarian lines. See KAYE ET AL., *supra* note 88, at 81; Shadid, *supra* note 96.
108 *Id.* at 173.
109 *Id.* at 173–74.
B. Promoting International Peace

Immanuel Kant’s “democratic peace” theory\textsuperscript{110} has acquired extensive scholarly support in recent years, and U.S. policymakers have used it to justify promoting democracy abroad. This Subpart summarizes political science research on the relationship between democracy and international peace and analyzes its implications for Arab democratization.

Democratization in the Arab world is likely to reduce the risk of conflict among Arab countries, between them and their democratic neighbors, and between Arab and Western countries. This pacifying effect may appear in the short run—between new Arab democracies and existing Western and other democracies—and should grow stronger as more Arab states become democracies. The magnitude of the benefit will depend largely on the scope of democratization: The more Arab countries—and neighbors—that become democratic, the more peaceful the region is likely to be. This is because the democratic peace is a dyadic rather than monadic phenomenon; extensive social science research shows that democracies seldom go to war, skirmish, or make violent threats \textit{against each other}, but democracies are not especially pacific in their relations with nondemocratic states.\textsuperscript{111}

Subpart 1 explains the basic relationship between democracy and interstate peace that scholars have documented. Subpart 2 describes policymakers’ enthusiasm for this research. Subpart 3 presents new empirical findings on the incidence of interstate conflict involving Arab countries. Subpart 4 surveys the different explanations political scientists have proffered for the democratic peace finding, linking particular elements of democracy to peace, and identifies the implications for policymakers of scholars’ lack of consensus.

1. The Democratic Peace Finding

That democracies very seldom engage in military conflict with each other is widely considered to be “one of the most important and empirically robust findings in international relations” scholarship.\textsuperscript{112} It is not merely that democracies seldom fight each other, but that even after controlling for other factors that might affect the likelihood of conflict, two democracies are less likely to fight each other than are other combinations of regimes (e.g., two autocracies). This central descriptive finding has endured despite “two decades of sophisticated attempts [by


\textsuperscript{111} Democratic peace research thus suggests that if other risk factors for war—such as the existence of boundary disputes between the potential disputants—were equal, the chance that a democratic Egypt would go to war with a democratic Libya would be much smaller than the chance that it would go to war with an undemocratic Sudan. Many factors other than the two states’ types of government affect the risk that they will go to war, but unless the distribution of those factors among Arab states differs from their distribution among the full population of all states (which forms the basis for the social science research on democratic peace), we would expect the pattern of democracies seldom fighting each other to hold for Arab democracies.

\textsuperscript{112} Allan Dafoe, \textit{Statistical Critiques of the Democratic Peace: Caveat Emptor}, 55 AM. J. POL. SCI. 247, 247 (2011). One scholar has even called the idea that democracies almost never fight each other “as close as anything we have to an empirical law in international relations.” Jack S. Levy, \textit{Domestic Politics and War}, J. INTERDISC. HIST. 653, 662 (1988).
It applies to both full-scale wars and less dramatic resorts to military force, sometimes termed “militarized interstate disputes” (or MIDs) by political scientists, both are less common between democracies than between other combinations of regimes. MIDs are instances of conflict between states “in which the threat, display or use of military force short of war by one member state [of the international state system] is explicitly directed towards the government, official representatives, official forces, property, or territory of another state.”

The finding of peace among democracies rests on a series of increasingly sophisticated statistical studies by political scientists. The vast majority of these studies examine pairs of states (dyads) for various historical periods extending back to the early nineteenth century. The researchers examine which pairs engaged in wars or MIDs. They then consider the type of regime governing each member of each pair (i.e., democracy vs. autocracy), and various other variables that might make militarized conflict more or less likely. Study after study has found, after controlling for various alternative explanations, that wars or MIDs are less likely between two democracies than between an autocracy and a democracy or between two autocracies. Furthermore, when MIDs do arise between two democracies, they are far more likely to be resolved peacefully than when they arise between two autocracies or between an autocracy and a democracy.

This finding has been so thoroughly supported that academics have largely shifted from verifying it to

115 Id. at 168. Most scholars draw the line between a MID and a “war” based on the number of battle deaths that occur, such as 1,000. E.g., id. at 171.
116 The same war or MID can show up in multiple dyads if it involves more than two states. For example, a hypothetical war that pitted Germany and Spain against France in 1900 would lead researchers to code the Germany-France and the Spain-France dyads for 1900 as each engaging in a war, but not Germany-Spain, because they did not fight each other in this case.
117 For example, many studies have found that militarized conflict is more likely between adjacent states, and between states that are closer together (even if not adjacent). E.g., Seung-Whan Choi, Re-Evaluating Capitalist and Democratic Peace Models, 55 INT’L STUD. Q. 759, 767–68 (2011) (finding both effects at a very high level of statistical significance, p < 0.001, using eight different statistical models).
118 See, e.g., id. at 767 (noting that democracy as an explanation for peace between states “dies hard in the midst of the challenging forces”); John R. Oneal & Bruce Russett, Clear and Clean: The Fixed Effects of the Liberal Peace, 55 INT’L ORG. 469, 473 (2001); Arvid Raknerud & Håvard Hegre, The Hazard of War: Reassessing the Evidence for the Democratic Peace, 34 J. PEACE RES. 385, 400 (1997); Michael D. Ward et al., Disputes, Democracies, and Dependencies: A Reexamination of the Kantian Peace, 51 AM. J. POL. SCI. 583, 597 (2007) (finding a modest effect and stating that “shared democratic political institutions in a dyad reduce the probability of conflict, but the overall effect is modest.”); see also Erik Gartzke, The Capitalist Peace, 51 AM. J. POL. SCI. 166, 168 (2007) (citing thirty-three studies through 2003). The statistical methods have become increasingly sophisticated. See, e.g., Oneal & Russett, supra, at 470 (acknowledging and correcting methodological weaknesses in their earlier work, even though others’ correction of those weaknesses had not invalidated their finding of a democratic peace).
119 See Zeev Maoz & Bruce Russett, Normative and Structural Causes of Democratic Peace, 1946–1986, 87 AM. POL. SCI. REV. 624, 632 (1993) (finding that “[d]emocracies are less likely to escalate disputes against other democracies than are states that have other types of political systems.”); Michael Mousseau, Democracy and Compromise in Militarized Interstate Conflicts, 1816–1992, 42 J. CONFLICT RESOL. 210, 226–27 (1998) (finding democratic pairs three times more likely than autocratic pairs and four-and-a-half times more likely than mixed autocracy-democracy pairs to resolve MIDs peacefully).
testing explanations for it. 120
Most scholars believe that democracies behave more peacefully only in relation to other democracies, and that war is just as likely to break out between a democracy and a nondemocracy as between two nondemocracies. 121 A few, however, have conducted statistical analysis that suggests that democracies could be more pacific than autocracies in their relations with all other countries, regardless of the interlocutor’s form of government. 122 Political scientists term the former finding a “dyadic” democratic peace and the latter, less common, finding a “monadic” democratic peace. 123 If the democratic peace were monadic, then democratization in the Arab world would reduce the risk of interstate conflict in the region more quickly, because each newly democratic Arab state would be likely to behave more peacefully than it had before. Statistical evidence and theory suggest that the democratic peace is only dyadic, however, so the pacifying effect of democratization in the region is likely to appear only between pairs of democracies. 124

2. Policymakers’ Embrace of Democratic Peace Ideas

In addition to preoccupying academics, the democratic peace idea has captivated many policymakers over the past several decades, convincing them that promoting democracy abroad can be an effective tool for preventing international conflict, or at least supporting their preexisting inclination to promote it. U.S. leaders have found it especially compelling. 125 In April 1992, President George H.W. Bush called “[a] democratic Russia . . . the best guarantee against a renewed

120 See infra text accompanying notes 139–148.
122 See, e.g., David L. Rousseau et al., Assessing the Dyadic Nature of the Democratic Peace, 1918–88, 90 AM. POL. SCI. REV. 512, 527 (1996) (concluding that democracies are “less likely to initiate violence only against other democracies”).
123 See id.
124 Some studies have found evidence of an “autocratic peace”: that a pair of autocratic countries is less likely to engage in war than is a mixed pair (a democracy plus an autocracy). See Nils Petter Gleditsch & Håvard Hegre, Peace and Democracy: Three Levels of Analysis, 41 J. CONFLICT RESOL. 283, 286 (1997); Raknerud & Hegre, supra note 118, at 400. The democratic peace is stronger, however: War is less likely in a pair of democratic states than in either an autocratic or mixed pair. See Gleditsch & Hegre, supra, at 286. Democratization would not reduce the chances of conflict between former autocracies and nondemocracies outside the Arab world, but the chances of conflict are generally much lower between countries located far from each other than between those close together. See Choi, supra note 117.
danger of competition and the threat of nuclear rivalry." His Secretary of State, James Baker, put the reasoning bluntly: "Real democracies do not go to war with each other." Explaining why democracy promotion was a foreign policy priority, President Bill Clinton’s National Security Advisor commented in 1995, "Democracies, we know, are less likely to make war on us or on other nations."

In 2005, President George W. Bush proclaimed that "the best way to strengthen the ties of trust between nations is by advancing freedom within nations. Free nations are peaceful nations, free nations do not threaten their neighbors . . . ." Finally, U.S. leaders have invoked the idea in relation to the Arab Spring: In November 2011, for example, Secretary of State Clinton explained that democratization was a "strategic necessity" for the United States because, among other reasons, democracies "fight less."

Democratic peace ideas have influenced other world leaders, too. During a 1990 visit to Czechoslovakia, British Prime Minister Margaret Thatcher argued that democracy promotion is the "best guarantee of all for security—because democracies don’t go to war with one another." In 2000, U.S. Deputy Secretary of State Strobe Talbott generalized that "[t]he institutional custodians of peace in the Euro-Atlantic region . . . operate on the principle that democratic states are less likely than nondemocratic ones to make war against each other . . . ."

In 2001, United Nations Secretary-General Kofi Annan weighed in on the political science, saying that "the peace among democracies is supported by credible evidence and has substantial foundations."

127  Id.
128  Ikenberry, supra note 125; see also Bill Clinton, Excerpts from President Clinton's State of the Union Message, N.Y. Times, Jan. 26, 1994, at A17 (“Democratic don't attack each other.”).
129  George W. Bush, President Discusses Freedom and Democracy in Kyoto, Japan (Nov. 16, 2005) (transcript available at http://georgewbush-whitehouse.archives.gov/news/releases/2005/11/2005 1116-6.html). Political scientists’ findings on the democratic peace may have contributed to Bush Administration officials’ eagerness to invade Iraq, with the possible benefits of international peace distracting them from the extraordinary difficulty of building democracy after decades of dictatorship, especially in a country that would be under foreign occupation. See Tony Smith, Democratic Peace Theory: From Promising Theory to Dangerous Practice, 25 Int’l Relns. 151, 151-52 (2011). This does not mean that policymakers should ignore social scientists’ findings about how the world works, but rather that they need to be clear about what those findings show and what they do not. In Iraq, Bush’s error was less to imagine that a democratic Iraq might be more peaceful—at least with respect to other democracies—than to overestimate the United States’ ability to control fundamental political change in another country.
130  Clinton, supra note 17.
133  Kofi Annan, Democracy as an International Issue, 8 Global Governance, 135, 136 (2002); see also Gary J. Bass, Are Democracies Really More Peaceful?, N.Y. Times, Jan. 1, 2006, at F18 (stating that former United Nations Secretary-General Boutros Boutros Ghali also embraced the idea of a democratic peace).
3. The Incidence of Militarized Conflict in the Arab World

Both full-blown war and less intense militarized conflict in the Arab world are serious threats to Western interests. They should concern Western countries for humanitarian reasons, but also for selfish ones. International tensions involving Arab countries that carry a serious risk of violence can threaten oil supplies, thus raising oil prices, increasing their volatility, and hurting oil-dependent Western economies.

According to the Correlates of War Inter-State War dataset, countries that are now members of the Arab League were involved in thirteen of the fifty-six interstate wars that occurred between 1918 and 2007.\textsuperscript{134} Three of those wars—the 2003 invasion of Iraq, the Iran-Iraq War, and the 1977–78 Ogaden War between Somalia and Ethiopia—did not involve a member of the fifteen “core” Arab states on which this Article concentrates.\textsuperscript{135} Two involved Arab states fighting each other: the 1991 Gulf War and the 1934 Saudi-Yemeni War. Six others pitted Israel against one or more Arab states: the Arab-Israeli War in 1948, the Sinai War in 1956 (also involving the United Kingdom), the Six-Day War in 1967, the Egyptian-Israeli War of Attrition in 1969–70, the Yom Kippur War in 1973, and the Israeli-Syrian War in Lebanon in 1982. The last two wars were between Spain and Morocco (1957–58) and Libya and Chad (1986–87).

Full-scale war is rare, but less intense interstate violence and disputes involving the threat of force are much more common. Original data analysis conducted for this Article finds that from 1918 through 2001 Arab states—defined broadly as all states that are now members of the Arab League—were involved in a total of 567 “militarized interstate disputes” (MIDs), which include the thirteen interstate wars as well as less intense violence and threats of force.\textsuperscript{136} One hundred thirty-four of those MIDs involved conflict among Arab League members.\textsuperscript{137} This Article’s fifteen core Arab states were involved in 390 MIDs during this period. The Table shows the categories of states with which core Arab states most often engaged in MIDs, along with the most common individual opponents.\textsuperscript{138}

\textsuperscript{134} Meredith Reid Sarkees & Frank Wayman, Inter-State War Data (v.4.0), CORRELATES OF WAR, http://www.correlatesofwar.org/COW2%20Data/WarData_NEW/WarList_NEW.html#Inter-State%20War%20Data (last visited May 17, 2012). The Correlates of War (COW) dataset is the most common source of data on wars used in studies of the democratic peace. A “war” must “involve sustained combat, involving organized armed forces, resulting in a minimum of 1,000 battle-related combatant fatalities within a twelve month period.” Meredith Reid Sarkees, Inter-state Wars (Version 4.0): Definitions and Variables, CORRELATES OF WAR, http://www.correlatesofwar.org/COW2%20Data /WarData_NEW/InterStateWars_Codebook.pdf (last visited May 17, 2012). “[For a state to be considered a war participant, the minimum requirement is that it has to either commit 1,000 troops to the war or suffer 100 battle-related deaths.” Id. at 2.

\textsuperscript{135} See supra text accompanying note 22 (listing the 15 core states).


\textsuperscript{137} Id.

\textsuperscript{138} Id. Not surprisingly, Israel was the most common co-belligerent, but conflict with it was highly concentrated: Seventy-seven percent of Israel’s 112 militarized interstate disputes with core Arab states pitted the country against either Syria (51 MIDs) or Egypt (35 MIDs).
Table. Opposing State in Dyadic Militarized Interstate Disputes Involving a Core Arab State, 1918–2001

<table>
<thead>
<tr>
<th>Opponent*</th>
<th>Number of MIDs</th>
<th>% of total**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Another core Arab state</td>
<td>48</td>
<td>12%</td>
</tr>
<tr>
<td>Non-core Arab state</td>
<td>83</td>
<td>21%</td>
</tr>
<tr>
<td>Iraq</td>
<td>46</td>
<td>12%</td>
</tr>
<tr>
<td>Other</td>
<td>37</td>
<td>9%</td>
</tr>
<tr>
<td>Neighboring non-Arab state***</td>
<td>165</td>
<td>42%</td>
</tr>
<tr>
<td>Israel</td>
<td>112</td>
<td>29%</td>
</tr>
<tr>
<td>Iran</td>
<td>29</td>
<td>7%</td>
</tr>
<tr>
<td>Turkey</td>
<td>13</td>
<td>3%</td>
</tr>
<tr>
<td>Other</td>
<td>11</td>
<td>3%</td>
</tr>
<tr>
<td>Non-neighboring states</td>
<td>94</td>
<td>24%</td>
</tr>
<tr>
<td>United States</td>
<td>26</td>
<td>7%</td>
</tr>
<tr>
<td>France</td>
<td>16</td>
<td>4%</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>10</td>
<td>3%</td>
</tr>
<tr>
<td>Other</td>
<td>42</td>
<td>11%</td>
</tr>
<tr>
<td>Total</td>
<td>390</td>
<td>100%</td>
</tr>
</tbody>
</table>

* Each state involved in ten or more MIDs with a core Arab state is listed individually as well as included in the category total.

** Does not total to 100% due to rounding.

*** Any state sharing a land border with any core Arab state.

4. Explaining the Democratic Peace

The democratic peace finding is not self-explanatory. As emphasized above, there is wide agreement among political scientists on the finding itself: that war and lower-level violent conflict (including threats of violence) among democracies are rare, and rarer than violent conflict between autocracies or mixed pairs. There is no consensus about why this is the case—that is, about what aspects of democracy might cause democratic countries to avoid fighting each other. Scholars have identified numerous reasons why democratic states may avoid violent conflict with each other, though, some of which could also reduce their likelihood of engaging in it with nondemocratic states as well. As in other areas of empirical political science, each theory about the pacifying qualities of democracy is supported by both logic and statistical analysis. The literature on the democratic peace is unusually large, however, and scholars of the subject have translated theories about causation into testable hypotheses with particular creativity and sophistication.

The causal explanations of the democratic peace finding can be roughly sorted into four major classes, although many theories combine ideas from several classes. One class of explanations sees democracies’ behavior in foreign affairs as mirroring their internal processes. These suggest that just as democratic systems of

139 However, as emphasized above, the former, dyadic, dynamic—peace among democracies—is well supported by research, but the latter, monadic, one—democracies’ generally peaceful behavior—is not. See supra text accompanying notes 121–124.
government resolve conflicts among their citizens peacefully, democratic leaders are more open to external negotiation and compromise when they engage with other countries, and more averse to violence, than autocrats. A second class focuses on
democratic citizens’ preferences and how democratic political processes translate those into foreign policy. Kant’s own analysis falls in this group, and was echoed by the mid-twentieth century philosopher Joseph Schumpeter. Kant and Schumpeter saw war as burdening many citizens and benefitting few. They argued that democratic leaders avoid war because its costs to their citizens outweigh its benefits and because they give more weight to their citizens’ interests when making policy than do autocrats.

Modern scholars such as Bruce Bueno de Mesquita have developed complex game-theoretic models of the relationship between citizens’ preferences and democratic leaders’ actions that explain a range of empirical findings on democracies and militarized conflict (including the democratic peace), without assuming that the public always opposes war. A third class of explanations of democracies’ pacific tendencies suggests that democratic processes prevent a rush to war. It takes time for democratic executives to persuade their constituents and other political actors, such as legislators, to support war. This process buys time for diplomats to negotiate peaceful solutions. Finally, a fourth class of explanations focuses on the interplay between international negotiations and domestic politics. For example, one hypothesis posits that threats by

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140 See, e.g., William J. Dixon, Democracy and the Peaceful Settlement of International Conflict, 88 AM. POL. SCI. REV. 14, 17 (1994) (“[I]nternational disputes of democratic states are in the hands of individuals [i.e., democratic leaders] who have experienced the politics of competing values and interests and who have consistently responded within the normative guidelines of bounded competition.”); Maoz & Russett, supra note 119, at 636 (supporting the theory with statistical analysis). This dynamic could explain monadic as well as dyadic democratic peace findings. However, it could break down when a democracy confronted an autocracy: “[W]hen a democratic state confronts a nondemocratic one, it may be forced to adapt to the norms of international conflict of the latter lest it be exploited or eliminated by the nondemocratic state [because the latter] takes advantage of the inherent moderation of democracies.” Maoz & Russett, supra note 119, at 625. If that were the case, then it could not explain monadic peace findings.

141 See Kant, supra note 110, at 75 (“If . . . the agreement of the citizens is required to decide whether or not one ought to wage war, then nothing is more natural than that they would consider very carefully whether to enter into such a terrible game, since they would have to resolve to bring the hardships of war upon themselves . . . .”); JOSEPH SCHUMPETER, CAPITALISM, SOCIALISM, AND DEMOCRACY 128 (1947).

142 See, e.g., Bruce Bueno de Mesquita et al., An Institutional Explanation of the Democratic Peace, 93 AM. POL. SCI. REV. 791 (1999). Political scientists have theorized and found evidence to support several linkages between domestic politics and how democracies engage in militarized conflict. Democratic leaders may have a stronger incentive than autocrats to avoid conflicts they are likely to lose, because democratic citizens angry about a military loss can punish their leaders more easily than can citizens of an autocracy. They also may be more likely than autocrats to avoid conflicts that are likely to be bloodier or longer, since longer and bloodier conflicts are less popular with citizens. See Christopher F. Gelpi & Michael Griesdorf, Winners or Losers? Democracies in International Crisis, 1918–94, 95 AM. POL. SCI. REV. 633, 645 (finding that the crises democracies initiate tend to be ones they are likely to win); Dan Reiter & Curtis Meek, Determinants of Military Strategy, 1903–1994: A Quantitative Empirical Test, 43 INT’L STUD. Q. 363, 365, 381 (finding that democracies employ military strategies that are likely to produce quick wins); Randolph M. Siverson, Democracies and War Participation: In Defense of the Institutional Constraints Argument, 1 EUR. J. INT’L RELS. 481, 486 (1995) (finding that “[w]hen given the choice, the leaders of democratic states initiate wars that have [relatively] low overall costs,” measured in lives lost). Higher levels of voter participation have also been associated with lower propensity to initiate MIDs. Dan Reiter & Erik R. Tillman, Public, Legislative, and Executive Constraints on the Democratic Initiation of Conflict, 64 J. POL. 810, 824 (2002).

143 See Maoz & Russett, supra note 119, at 626.
democratic leaders to use force are more credible than similar threats by autocrats, and thus are more likely to induce an adversary to back down from confrontation. This is because the adversaries believe that the democratic leaders’ citizens will punish them if they make such threats but do not carry them out.\textsuperscript{144}

There are numerous variations on and combinations of theories within and between these four classes. Michael Doyle’s interpretation of Kant is particularly prominent. Doyle sees democratic leaders’ accountability to citizens, their externalization of democratic conflict resolution values, and economic interdependence as jointly responsible for the democratic peace.\textsuperscript{145}

Each of these causal theories, and the statistical analysis that supports it, focuses attention on particular features of democracy that drive the democratic peace. For example, the externalized values theory requires democratic political leaders who are accustomed to resolving conflict through negotiation, while Schumpeter’s theory focuses on structures that pressure leaders to pursue policies that fit their constituents’ preferences. The differences among the theories matter for policy because some features of democracy emerge more quickly than others during democratization processes. Years may pass between the first democratic elections and leaders’ internalization of nonviolent conflict resolution norms; if the democratic peace is driven by leaders’ values, we can expect new democratizers to take much longer to become more peaceful than if it is driven by accountability to voters.

A small minority of scholars argue that the democratic peace is not, in fact, caused by democracy. While accepting the descriptive finding that the countries that have been democracies have seldom fought each other, they argue that this peace was caused by factors that had nothing to do with those countries’ systems of government. They argue and present statistical evidence that other factors—such as economic development, integration of capital markets, unspecified shared interests, or U.S. hegemony during the Cold War—fully explain the lack of conflict.\textsuperscript{146} Other scholars dispute the evidence supporting each alternative explanation, however.\textsuperscript{147}

\textsuperscript{144}See Gelpi & Griesdorf, supra note 142, at 635–36 (setting out a more complex version of this hypothesis); id. at 645 (reporting statistical results that support it).

\textsuperscript{145}See Michael W. Doyle, Three Pillars of the Liberal Peace, 99 AM. POL. SCI. REV. 463, 464 (2005); Michael W. Doyle, Kant, Liberal Legacies and Foreign Affairs, 12 PHIL. & PUB. AFF. 203–34, 323–53 (1983). Doyle emphasizes that no one of these three components is sufficient on its own. See supra Doyle, Three Pillars of the Liberal Peace, at 463.

\textsuperscript{146}See, e.g., Henry S. Farber & Joanne Gowa, Common Interests or Common Politics? Reinterpreting the Democratic Peace, 59 J. POL. 393, 414–15 (1997) (concluding that unspecified interests that democratic states happened to share during the Cold War, not aspects of their domestic political systems, fully explain the peace among democracies); Gartzke, supra note 118 (finding that integration of capital markets, economic development, and shared interests, represented by similar voting patterns in the United Nations General Assembly, fully explain the peace among democracies); Sebastian Rosato, The Flawed Logic of Democratic Peace Theory, 97 AM. POL. SCI. REV. 585, 599–600 (2003) (disputing, on theoretical grounds, the causal influence of democracy on peace and hypothesizing that the United States may have enforced peace among democracies during the Cold War).

\textsuperscript{147}Compare Gartzke, supra note 118, with Dafoe, supra note 112 (raising methodological questions about Gartzke’s analysis and concluding that democracy remains significant after controlling for economic characteristics), and Choi, supra note 117. Compare Farber & Gowa, supra note 146, with William R. Thompson & Richard Tucker, A Tale of Two Democratic Peace Critiques, 41 J. CONFLICT RESOL. 428 (1997) (disputing, on the basis of further analysis, Farber and Gowa’s conclusion that shared interests during the Cold War account for the democratic peace finding), and Oneal & Russett, supra note 118, at 475–76 (finding the influence of democracy on peace to be
The dominant view remains that one or more aspects of democratic political structures, values, or processes contribute substantially to peace.

The lack of consensus among scholars about the causal mechanism of the democratic peace makes it harder to predict whether democratization in Arab countries would reduce conflict. If one or more of the theories is correct, then we could expect newly democratic Arab states that acquired all of the qualities of democracy implied by these theories to resolve disputes with other democracies more peacefully than they had before. Without knowing what about democracy makes a state more peaceable, we do not know which political changes in particular Arab countries are likely to reduce the chances of conflict involving them. However, even before political scientists resolve this question, Western policymakers tracking political change in Arab countries can pay particular attention to the aspects of democracy that scholars have identified as possible contributors to international peace.148

The finding that militarized conflict—both war or lower-level conflict (MIDs)—between democracies has been rare in the past has been established as firmly as any empirical pattern in international relations. A large body of theory and empirical analysis supports the conclusion that democratic values or structures,

significant from 1886 to 1992, but weaker during the Cold War than before World War II, contrary to Farber and Gowa’s conclusion), and Gelpi & Greisdorf, supra note 142, at 645 (reporting statistical analysis that “undermines” Farber and Gowa’s common interests explanation).

Edward Mansfield and Jack Snyder have argued, in a series of studies, that democratization increases the risk of interstate conflict under certain circumstances, but their work does not justify concern about Arab democratization. Mansfield and Snyder argue that in countries where “governmental institutions are weak” and democratization “gets stalled before reaching the stage of full democracy,” leaders may stir up national/ethnic conflict to try to gain popular support, and this sometimes may draw in foreign states. Edward D. Mansfield & Jack Snyder, Electing to Fight: Why Emerging Democracies Go to War 4, 9–11 (2005); see also Edward D. Mansfield & Jack Snyder, Pathways to War in Democratic Transitions, 63 Int’l Org. 381, 389 (2009); Edward D. Mansfield & Jack Snyder, The Sequencing “Fallacy”, J. Democracy, July 2007, at 5. Those circumstances do not seem especially likely to arise in Arab countries and are, in any case, very narrow. Mansfield and Snyder do not claim, let alone substantiate, that “‘emerging democracies go to war,’ but rather [that] failed democratic transitions under very special circumstances lead to war some of the time.” Michael McFaul, Are New Democracies War-Prone?, J. Democracy, Apr. 2007, at 160, 161 (emphasis in original). McFaul concludes that the quantitative and qualitative analysis in Electing to Fight does not reveal dangers of democratization generally, but rather “describes why failed state-building and failed democratization lead to war.” Id. at 160 (emphasis in original). Even Mansfield and Snyder themselves concede that the risk concerns the short term and that “over the long run, it is probably true that the further spread of democracy will promote global peace and stability.” Mansfield & Snyder, Electing to Fight, supra, at 2.

More generally, Mansfield and Snyder’s work has been persuasively criticized, although not conclusively refuted, by other scholars. Some have found flaws in Mansfield and Snyder’s statistical and case study analysis. See McFaul, supra, at 162–63 (critiquing Mansfield and Snyder’s conception and statistical measure of institutional weakness); id. at 164–66 (critiquing Mansfield and Snyder’s case study analysis); Vipin Narang & Rebecca M. Nelson, Who Are These Belligerent Democratizers? Reassessing the Impact of Democratization on War, 63 Int’l Org. 357 (2009) (finding that Mansfield and Snyder’s results are driven entirely by a small number of cases involving the breakup of the Ottoman Empire). Other scholars criticize Mansfield and Snyder’s policy recommendations. See Sheri Berman, How Democracies Emerge: Lessons from Europe, J. Democracy, Jan. 2007, at 28, 30–31; Carothers, supra note 61; McFaul, supra, at 166–67. As McFaul notes, Mansfield and Snyder are more careful about drawing policy implications from their work than are some commentators who cite their work. McFaul, supra, at 166; see also James Lee Ray, Does Democracy Cause Peace?, 1998 Ann. Rev. Pol. Sci. 27, 38–39 (1998); Thompson & Tucker, supra note 147. Mansfield and Snyder continue to refine their work, responding to and incorporating criticisms. See Matthijs Bogaards, Measures of Democratization: From Degree to Type to War, 63 Pol. Research Q. 475, 477–78 (2010) (summarizing critiques of Mansfield and Snyder’s work and their adaptations in response). At this stage, however, their findings are too narrow and uncertain for policymakers to consider.
or some other aspect of democracy, drive this “democratic peace.” Sooner rather
than later, democracy could reduce the risk of conflict between particular pairs of
countries, such as two new Arab democracies or a new Arab democracy and an
established, non-Arab democracy. As more Arab states and their neighbors
consolidate democracy, we can expect the risk of conflict in the region generally to
decline.

C. Preventing Transnational Terrorism

Many of the bloodiest terrorist attacks against Western countries in the last
fifteen years have had some connection to Arab countries, rather than being entirely
homegrown. (It would be grossly unjust to associate Arabs generally with
terrorism; those involved in terrorism represent a tiny fringe, and Westerners also
perpetrate terrorist acts.) Social scientists understand the impact of democracy on
transnational terrorism less well than its impact on domestic instability or interstate
conflict. Their findings indicate, however, that democratization of Arab countries
is likely to serve Western countries’ interests by reducing the threat of terrorist
attacks against them. The U.S. government, under both Presidents George W. Bush
and Barack Obama, has made democratization a central component of the country’s
official counterterrorism strategy.

Large-sample statistical research supports this conclusion. The large
majority of studies find that freer, more democratic countries have been less likely
to generate transnational terrorist attacks than more repressive, less democratic

149 Reverse causality is unlikely: Scholars have found little evidence to support the possibility that
peace causes democracy, rather than democracy or something for which it is a proxy causing peace. See
Nils Petter Gleditsch et al., Democratic Jihad? Military Intervention and Democracy 11 (World Bank
Pol’y Res., Working Paper No. 4242, 2007) (stating that “this view has not gained much support in
statistical analyses”); Michael Mousseau & Yuhang Shi, A Test for Reverse Causality in the
supports the conclusion that democracy causes peace, not vice versa). Some work seeks factors that
may cause both democracy and peace. See, e.g., Douglas M. Gibler & Jaroslav Tir, Settled Borders
and Regime Type: Democratic Transitions as Consequences of Peaceful Territorial Transfers, 54 AM.
J. Pol. Sci. 951 (2010) (finding that the peaceful settlement of territorial and border disputes promotes
both democracy and peace).

150 Most of the perpetrators of the 9/11 attacks were Saudi citizens, as was Osama bin Laden. The
alleged operational mastermind, Khalid Shaikh Mohammed, is Kuwaiti. Al Qaeda’s then-second-in-
command and current leader, Ayman al-Zawahiri, is Egyptian. The 2004 Madrid train bombings
initially appeared to be entirely homegrown, although Al Qaeda-inspired, but official investigations
eventually revealed numerous connections to Arab countries. See Fernando Reinares, The Madrid
bombings were native-born British citizens, but apparently had been inspired by Al Qaeda. See
Justice Hallett, Coroners’ Inquests Into the London Bombings of 7 July 2005 5, 21 (2011)
(discussing Mohammed Siddique Khan’s possible influences). Particular terrorists may receive
international support but be primarily motivated by domestic grievances.

151 See, e.g., Jo Thomas, McVeigh Guilty On All Counts in the Oklahoma City Bombing: Jury to

152 For purposes of this Article, terrorism is “international” or “transnational” when the
nationalities of its perpetrators and those they aim to influence are different. See supra note 66.

153 These studies analyze datasets describing hundreds or thousands of incidents of terrorism,
often across many decades. See, e.g., S. Brock Blomberg & Gregory D. Hess, The Lexus and the Olive
Branch: Globalization, Democratization, and Terrorism, in TERRORISM, ECONOMIC DEVELOPMENT,
AND POLITICAL OPENNESS 116, 120 (Philip Keefer & Norma Loayza eds., 2008) (describing data
covering 8,000 terrorist attacks, 179 countries, and 200,000 country dyads from 1968 to 2003).
consequently, Western countries are likely to benefit from liberalization of countries from which terrorism might originate. Alan Krueger and David Laitin examined countries with high civil liberties and found that attacks on them were most likely to originate in countries with restricted civil liberties and least likely to originate in ones with expansive ones. Findings such as these lead some scholars to urge policymakers to “encourage more liberal institutions to facilitate political and economic freedom” within states, so as to reduce terrorism originating in those states.

Some transnational terrorists attack foreign targets in order to influence their own governments. Lacking effective channels for influencing their government directly, such as voting, citizens of autocracies try to pressure them indirectly, by attacking their Western democratic allies. (One of Osama bin Laden’s oldest grievances was the presence of U.S. military forces in Saudi Arabia, with Saudi government approval, because this placed them too close to Mecca.) Such attacks can lead the public in the target state to press their own (democratic) leaders to try to influence the policies of the terrorists’ (autocratic) home

154 See id. at 130–131; Alan B. Krueger & David D. Laitin, Kto Kogo?: A Cross-Country Study of the Origins and Targets of Terrorism, in TERRORISM, ECONOMIC DEVELOPMENT, AND POLITICAL OPENNESS 164, 172 (Philip Keefer & Norma Loayza eds., 2008); Peter Kurrild-Klitgaard et al., The Political Economy of Freedom, Democracy and Transnational Terrorism, 128 PUB. CHOICE 289, 305–07 (2006); Plümper & Neumayer, supra note 74, at 9; see also Krieger & Meierrieks, supra note 81, at 11 (summarizing studies); cf. Atin Basuchoudhary & William F. Shugart II, On Ethnic Conflict and the Origins of Transnational Terrorism, 21 DEF. & PEACE ECON. 65, 85 (2010) (finding that liberal political institutions were associated with fewer attacks, but only since the Cold War). Only a few studies associate a higher level of democracy in a country with more attacks originating from it. Kiss-Katos and her coauthors find that a shift from autocracy to semidemocracy increases the risk of terrorist attacks, but a further shift to democracy has no additional, negative effect. Kis-Katos et al., 155 at S25 (“[A]n increase in democracy does not come at a price of increased [exports of] terrorism if the country has already moved from the most autocratic, despotic regime to a ‘milder’ form.”). Lai finds an association between higher levels of democracy and greater exports of terrorism—but the effect becomes far less statistically significant when he considers that the effect of economic development could be non-linear. Brian Lai, “Draining the Swamp”: An Empirical Examination of the Production of International Terrorism, 1968–1998, 24 CONFLICT MGMT. & PEACE SCI. 297, 305–07 (2007) (showing that models using different economic development models reach different conclusions on the role of democracy). It is difficult to imagine the causal arrow between source country democracy and terrorist attacks running in reverse—that a lower level of terrorist attacks originating from a particular country could make that country more democratic, rather than vice versa, but scholars have not eliminated the possibility through statistical analysis.

155 See Krueger & Laitin, supra note 154, at 171.

156 See Bloemberg & Hess, supra note 153, at 146.

157 See Plümper & Neumayer, supra note 74, at 76.

158 See id. at 80. Most studies of the comparative vulnerability of democracies and autocracies to transnational terrorist attacks find that democracies are more likely to be the targets. See Krieger & Meierrieks, supra note 81, at 15–16; see also Savun & Phillips, supra note 66, at 893. Scholars dispute the reason. Some have suggested that democratic societies’ openness facilitates’ terrorists operations. See, e.g., Jason Lyall, Do Democracies Make Inferior Counterinsurgents? Reassessing Democracy’s Impact on War Outcomes and Duration, 64 INT’L ORG. 167, 169–70 (2010). Li rejects this conclusion based on quantitative analysis and concludes instead that institutional checks and balances make fighting terrorism more difficult. See Quan Li, Does Democracy Promote or Reduce Transnational Terrorist Incidents?, 49 J. CONFLICT RESOL. 278, 294 (2005). Savun and Phillips, however, argue that nothing about democracy makes democratic countries more vulnerable to transnational terrorism, but rather that democracies happen to pursue more active foreign policies that turn them into targets. See Savun & Phillips, supra note 66, at 879.

159 See Rahimullah Yusufzai, On the Brink of War: Face to Face with Osama, GUARDIAN (LONDON), Sept. 26, 2001, at Features, 2 (reporting comments by Osama bin Laden in a 1998 interview).
government or more generally to scale back their support for it.¹⁶⁰ Democratization of Arab countries would reduce the number of their citizens who found foreign terrorism appealing for these reasons by giving them a peaceful, legal, and less dangerous means for shaping their governments’ policies.¹⁶¹ As Jennifer Windsor wrote in 2003:

> The source of much of the current wave of terrorist activity—the Middle East—is not coincidentally also overwhelmingly undemocratic, and most regimes in the region lack the legitimacy and capacity to respond to the social and economic challenges that face them... [D]emocratic institutions and procedures, by enabling the peaceful reconciliation of grievances and providing channels for participation in policymaking, can help to address those underlying conditions that have fueled the recent rise of Islamist extremism.¹⁶²

The United States’ National Strategy for Counterterrorism adopts this logic. “Promoting democracy” was the sole “long-term” component of the strategy President George W. Bush officially promulgated in 2006.¹⁶³ “Transnational terrorists are recruited from populations with no voice in their own government and see no legitimate way to promote change in their own country. Without a stake in the existing order, they are vulnerable to manipulation by those who advocate a perverse political vision based on violence and destruction.”¹⁶⁴ President Obama has maintained democratization as a central component of his official counterterrorism strategy:

> Promoting representative, responsive governance is a core tenet of U.S. foreign policy and directly contributes to our [counterterrorism] goals. Governments that place the will of their people first and encourage peaceful change directly contradict the al-Qa’ida ideology. Governments that are responsive to the needs of their citizens diminish the discontent of their people and the associated drivers and grievances that al-Qa’ida actively attempts to exploit. Effective governance reduces the traction and

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¹⁶⁰ Plümper & Neumayer, supra note 74 (“[S]ome governments borrow strength from more powerful allied foreign powers. Citizens from countries that stabilise the government in the terrorists’ home country may then become a derivative, strategic target of terror attacks.”); cf. Steven Erlanger & Rod Nordland, France, Breaking With NATO, Plans to Withdraw from Afghanistan a Year Early, N.Y. TIMES, Jan. 28, 2012, at A10 (reporting France’s decision to withdraw troops from Afghanistan after an Afghan soldier killed four French soldiers who had been training his unit and wounded fifteen).

¹⁶¹ Some who could not convince their fellow citizens of their views might still resort to terrorism, as Basque separatists in Spain and the post-Civil Rights Movement Ku Klux Klan in the United States have done. See, e.g., 9 Members of Basque Separatist Cell Arrested Over Recent Bombings, N.Y. TIMES (Jul. 22, 2008), http://www.nytimes.com/2008/07/22/world/europe/22ihb-basque.5.14701196.html; Around the Nation; Jury Award to 5 Blacks Hailed as Blow to Klan, N.Y. TIMES, Feb. 28, 1982, at A24.


¹⁶³ GEORGE W. BUSH, NATIONAL STRATEGY FOR COUNTERTERRORISM 9 (2006). The strategy also had four “short-term” components, which included extensive military and intelligence operations. Id. at 11–17.

¹⁶⁴ Id.
space for al-Qa’ida, reducing its resonance and contributing to what it fears most—irrelevance.\footnote{165}

A retributive, rather than instrumental, motivation may contribute to some Arab terrorists’ desire to attack Western countries. They may wish to punish Westerners for supporting Arab autocracies, regardless of whether that punishment is likely to indirectly change the autocracies’ behavior.\footnote{166} Supporting Arab democratization would directly respond to, and dissolve, this motivation for terrorism.

Opening their countries’ political systems will not satisfy all Arab terrorists. Some are motivated by opposition to Western countries’ involvement in the Middle East or their particular policies (such as supporting Israel).\footnote{167} Others may resent the West’s prosperity or cultural dominance and blame it for stagnation in their own countries.\footnote{168} Still other terrorists’ hatred rests at least partly on extreme religious views.\footnote{169} (It is essential to note that that only the tiniest fraction of those Arabs, and non-Arabs, who hold even extreme religious views turn to violence.) Political liberalization in Arab countries would not directly eliminate those motivations for transnational terrorism. However, Western support for such change might create offsetting goodwill that made it harder for committed terrorists to persuade fellow citizens to take up arms against the West. This logic, too, underlies the U.S. National Strategy for Counterterrorism: “Contrasting a positive U.S. agenda that supports the rights of free speech, assembly, and democracy with the death and destruction offered by our terrorist adversaries helps undermine and undercut their appeal, isolating them from the very population they rely on for support.”\footnote{170}

Western policymakers should not be concerned that democratization in the Arab world will reduce their ability to fight terrorism through repression by proxies. The analysis above shows why working with repressive regimes is likely to be counterproductive in the long run, but even in the short run its benefits may be illusory and the methods it involves are both illegal and immoral. During the “War on Terror,” the United States used “extraordinary rendition” to, effectively, outsource torture by handing over suspected terrorists for interrogation by the brutal

\footnote{165 \textbf{BARACK OBAMA, NATIONAL STRATEGY FOR COUNTERTERRORISM} 5 (2011). In practice, both the Bush Administration and the Obama Administration have devoted much less energy to encouraging and supporting democratic change than to military and intelligence operations. \footnote{166 \textit{See} Blomberg & Hess, \textit{supra} note 153, at 133. \footnote{167 \textit{Cf.} Savun & Phillips, \textit{supra} note 66 (finding that transnational terrorists target democracies out of hostility to their active foreign policies). \footnote{168} These feelings may be widespread. Many of the Egyptians, Moroccans, Jordanians, and Palestinians surveyed by the Pew Research Center in 2011 blamed “the policies of the U.S. and other western nations” for “Muslim nations’ lack of prosperity.” \textit{PEW RESEARCH CENTER, MUSLIM-WESTERN TENSIONS PERSIST} 53 (2011), \textit{available at} http://www.pewglobal.org/files/2011/07/Pew-Global-Attitudes-Muslim-Western-Relations-FINAL-FOR-PRINT-July-21-2011.pdf. In all three countries and the Palestinian territories, over eighty percent of respondents felt Muslim nations should be more economically prosperous than they were. \textit{Id.} A majority of those who believed this also named the policies of the United States and other Western countries as one of the two factors most responsible for the underachievement. \textit{Id.} at 55. Of course, while most Arabs are Muslim, many are not, and many Muslims are not Arabs. \footnote{169} Many of these views rest on interpretations of religious doctrines that are sharply contested by the vast majority of adherents and scholars. \footnote{170 \textit{OBAMA, supra} note 165, at 5.}
security forces of countries such as Egypt and Syria.\footnote{JANE MAYER, THE DARK SIDE: THE INSIDE STORY OF HOW THE WAR ON TERROR TURNED INTO A WAR ON AMERICAN IDEALS 101–38 (2008).} If those countries become democratic and reform their security forces, this will be impossible to repeat. In practice, however, this should not damage counterterrorism efforts. The intelligence produced by torture and other abusive interrogation methods has dubious value.\footnote{See Lisa Hajjar, \textit{Does Torture Work? A Sociolegal Assessment of the Practice in Historical and Global Perspective}, 52 ANN. REV. L. & SOC. SCI. 311, 336 (2009).} Neuroscientists have found that torture distorts victims’ memories and therefore can corrupt the very knowledge interrogators seek.\footnote{Shane O’Mara, \textit{Torturing the Brain: On the Folk Psychology and Folk Neurobiology Motivating “Enhanced and Coercive Interrogation Techniques”}, 13 TRENDS COGNITIVE SCI. 497, 498 (2009).} Many professional interrogators believe that developing a rapport with suspects produces far better information than abusive methods,\footnote{\textit{See, e.g.}, Michael Isikoff, \textit{“We Could Have Done This the Right Way”}, NEWSWEEK (Apr. 24, 2009), http://www.thedailybeast.com/newsweek/2009/04/24/we-could-have-done-this-the-right-way.html (reporting that acclaimed FBI interrogator Ali Soufan reached this conclusion based at least in part on his successful interrogation of Al Qaeda suspect Abu Zubaydah); Bobby Ghosh, \textit{A Top Interrogator Who’s Against Torture}, TIME (Apr. 24, 2009), http://www.time.com/time/nation/article/0,8599,1893679,00.html; Mike Pesca, \textit{Why Do People Use Torture?} (NPR radio broadcast May 7, 2007) (transcript available at http://www.npr.org/templates/story/story.php?storyId=10046000) (quoting former FBI agent Joe Navarro as stating that “torture only guarantees pain; it never guarantees the truth”).} and there are innumerable examples of suspects saying whatever they think their torturers want to hear.\footnote{For example, in late 2001 the CIA captured Ibn al-Shaykh al-Libi, a suspected Al Qaeda commander, and quickly turned him over to the Egyptian security services for interrogation. \textit{See} MAYER, \textit{supra} note 171, at 106. Egyptian interrogators pushed al-Libi, almost certainly while torturing him, for information about links between Saddam Hussein and Al Qaeda. \textit{Id.} at 135. He responded by making up stories, however, and the Bush Administration relied on those to justify the 2003 Iraq War. \textit{Id.} at 136–37. But Al-Libi recanted them in 2004 and the 9/11 Commission eventually found no evidence that Saddam and Al Qaeda had collaborated. \textit{Id.} at 136–38. A Senate investigation later concluded that al-Libi had “lied . . . to avoid torture.” \textit{Id.} at 135 (quoting Senate Select Committee on Intelligence Report). \textit{See also} Torturing \textit{“Does Not Get Truth”}, BBC NEWS (Sep. 22, 2009), http://news.bbc.co.uk/2/hi/8267633.stm (quoting Dr. David Harper of the University of East London as stating that “much evidence suggests that people will, in fact, tell those conducting the torture what they think will make the torture stop”).} Fundamental moral principles dovetail with this practical argument. The most basic principles of humanity forbid torture: It can cause permanent, even fundamental, damage to its victims.\footnote{\textit{See Jamie O’Connell, Gambling with the Psyche: Does Prosecuting Human Rights Violatorsconsole Their Victims?}, 46 HARV. INT’L L.J. 295, 306–16 (2005); \textit{cf.} Christopher Hitchens, \textit{Believe Me, It’s Torture}, VANITY FAIR (Aug. 2008), http://www.vanityfair.com/politics/features/2008/08/hitchens 200808 (describing first-hand the experience of being “waterboarded”).} Torture violates bedrock international human rights law and the domestic laws of most or all Western countries, and should never be used under any circumstances. These reasons may explain why the National Strategy for Counterterrorism concludes that in fighting terrorism the United States “partners best with nations that share our common values [and] have similar democratic institutions.”\footnote{BARACK OBAMA, \textit{supra} note 165, at 6.}
D. More Reliable Allies

Some commentators have argued that Arab citizens, given a choice, will choose leaders less friendly to Western countries and their interests than the current or recently deposed dictators. This is plausible, but this Subpart argues—to the contrary—that Western countries should regard democratization in Arab countries as an opportunity to strengthen Arab countries’ alliances with Western countries. Put simply, Arab citizens are likely to be better allies in the long run than Arab dictators. The fundamental interests of Western countries and most Arab citizens are essentially compatible, and tensions between Western policies and Arab public opinion reflect divergent views about how to promote those interests, not what they are. Rather than fearing the international consequences of empowering Arab citizens, Western policymakers and citizens should reflect on the sources of Arab citizens’ suspicion of the West, engage them to enhance mutual understanding, and sometimes adjust Western policies to use different means to pursue the same ultimate goals. Even if Western policymakers and citizens do not favor this new approach, Western countries’ declining power relative to China and other rising powers may eventually force them to adopt it. Subpart 1 elaborates these points. Subpart 2 argues that the possibility that democratization in Arab countries could increase tensions between them and Israel should not mitigate Western enthusiasm for that development.

I. Relying on Citizens, Not Regimes

In the short run, democratization seems more likely to strain relations between Arab countries and the West than to improve them. Recent polls document Arab citizens’ negative views of Western countries. A 2011 Pew Research Center poll found that 49% of both Egyptians and Jordanians had “very unfavorable” opinions of the United States, and another 30% of Egyptians and 35% of Jordanians had “somewhat unfavorable” views of it. A poll taken later in the year in Egypt, Jordan, Lebanon, Morocco, and the United Arab Emirates by researchers associated with the Brookings Institution reported that 38% of respondents held “very unfavorable” and 21% “somewhat unfavorable” attitudes toward the United States. Majorities in Egypt and Jordan—where most people are Muslim—also view relations between “Muslims around the world and people in Western countries such as the United States and Europe” as “generally bad.”

178 PEW RESEARCH CENTER, supra note 41, at 37. The survey also covered the Palestinian territories, where opinion was similar, and Lebanon, where views of the United States were evenly split, although those with a negative opinion felt more strongly than those with a positive one. Id. At least some respondents separated “the United States” from its citizens—favorability ratings for “Americans” in all four countries were higher than for “the United States.” Compare id., with PEW RESEARCH CENTER, 23-NATION PEW GLOBAL ATTITUDES SURVEY 87–88 (2011), available at http://www.pewglobal.org/files/2011/07/Pew-Global-Attitudes-Balance-of-Power-U.S.-Image-Report-FINAL-July-13-2011.pdf. The two reports and the Pew study of Muslim-Western tensions, see PEW RESEARCH CENTER, supra note 168, drew on the same survey data.

179 TELHAMI, supra note 31, at 24. These represented an improvement: In 2010 the United States’ very favorable and somewhat unfavorable ratings were 48% and 38%. Id. Furthermore, the proportion reporting a very or somewhat favorable attitude toward the United States rose dramatically, from 10% to 26%. Id. (Fewer respondents expressed no opinion in 2011 than in 2010.)

180 PEW RESEARCH CENTER, supra note 168, at 51. Sixty percent of Egyptians and 57% of
The sources of this ill-feeling are probably complex, but numerous analysts and polls point to several factors as especially important. First, Arab citizens generally view the United States as unduly friendly to Israel and as hostile to the Palestinians. By a large margin, respondents to the Brookings poll named an Israeli-Palestinian peace agreement and stopping aid to Israel as the “two steps by the United States [that] would improve [their] views of the United States the most.” Telhami, supra note 31, at 28. Over 80% of respondents to the Pew poll in Egypt, Jordan, Lebanon, and the Palestinian territories disapproved of President Obama’s handling of the Arab Spring conflict. Pew Research Center, supra note 168, at 54.

Second, many Arabs see Westerners as hostile to Muslims, even at war with them. Opposition to the U.S.-led invasion and occupation of Iraq and U.S. counterterrorism policies, such as detentions at Guantánamo Bay, is high in the Arab world. Third, across the Arab world Western countries have long supported unpopular authoritarian regimes. It should be no surprise that taking the side of a government against most of its people may alienate the latter. Finally, many Arabs may feel that their relations with Western countries are fundamentally unequal, disproportionately reflecting Western goals and preferences at the expense of their own. This inequality may deeply offend their sense of dignity.

Arab citizens’ mistrust may weaken relations between new Arab democracies and Western countries in the short term. Democracy is likely to increase Arab citizens’ influence over their leaders and, by comparison, decrease Western governments’ influence over them. If citizens’ preferences differ from those of Western governments more than their previous autocratic leaders’ preferences did, then we would expect democratic Arab governments to diverge more often from their Western counterparts.

Major breaches are unlikely, however. Ordinary Arabs’ current negative views of Western countries are unlikely to transform their countries’ foreign policies, even if democracy increases their influence over those policies. Some of the interests that have drawn authoritarian Arab rulers to Western countries may dissolve with democratization, such as quieting Western criticism of their human rights records, but some of the interests are truly national ones that democratic Jordanians held this view, while 30% and 36%, respectively, felt relations were “generally good.” Id. The poll found similar results in Lebanon, the Palestinian territories, and non-Arab Turkey. These were the only Arab or Middle Eastern countries surveyed. By a large margin, respondents to the Brookings poll named an Israeli-Palestinian peace agreement and stopping aid to Israel as the “two steps by the United States [that] would improve [their] views of the United States the most.” Telhami, supra note 31, at 28. Over 80% of respondents to the Pew poll in Egypt, Jordan, Lebanon, and the Palestinian territories disapproved of President Obama’s handling of the Arab Spring conflict. Pew Research Center, supra note 168, at 54.

Sixty-three percent of Egyptians, 59% of Jordanians, 61% of Lebanese (many of whom are not Muslim), and 73% of Palestinians polled by the Pew Research Center said “most” or “many” Americans were “hostile toward Muslims.” Pew Research Center, supra note 168, at 53. Sixty-nine percent of Egyptians, 62% of Jordanians, 55% of Lebanese, and 68% of Palestinians felt that way about “Europeans.” Id. at 52. Respondents also blamed “the policies of the U.S. and other western nations” for “Muslim nations’ lack of prosperity.” Id. at 53, 55.

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successors would share.\textsuperscript{186} For example, they may wish to continue receiving Western aid. Self-interest is likely to disfavor extreme shifts, especially in the early years of a new democratic regime.\textsuperscript{187} Periods of fundamental political change can be difficult, and Western democracies are more likely than other international and regional aid-suppliers, such as the wealthy Gulf monarchies or China, to support emerging Arab democracies.\textsuperscript{188} Western power creates a strong disincentive for democratizing Arab states to adopt foreign policies that are aggressively hostile to the West.\textsuperscript{189}

Arab citizens’ preferences about their countries’ foreign policies therefore may diverge from their general skepticism of the West. Indeed, the proportion of Egyptians and Jordanians that believes their governments “cooperate too much” with the United States government is much less than the proportion that view the United States unfavorably.\textsuperscript{190} Other Western countries have similar, if lesser, economic and political power that can make cooperation with them attractive even to Arab citizens who may view them negatively.

This defensive perspective is too conservative, however. Western policymakers should embrace democratization as an opportunity to strengthen their relations with Arab countries over the long run, not see it as a threat to cooperation. Arab citizens and democratic leaders are likely to be more reliable allies in the long run than autocrats, especially as the global distribution of power shifts in the coming decades. Autocrats looking for financial, military, and diplomatic support will be just as happy to receive it from China as from Western countries, and the former may attach fewer strings.\textsuperscript{191}

Western countries need to take Arab citizens’ preferences seriously. Genuine responsiveness is the most promising strategy for aligning Arab citizens’ preferences with Western policies—with the two ideally supporting, or at least not undermining, each other.\textsuperscript{192} It must be a two-way process, however: Western


\textsuperscript{187} The least likely development would be for a new Arab democracy to sponsor terrorism against Western countries; the latter would retaliate with severe economic and diplomatic sanctions and possibly military strikes.

\textsuperscript{188} See MacFarquhar, \textit{supra} note 4 (describing steps by Saudi Arabia and the six-monarchy Gulf Cooperation Council to prevent and slow democratic change). Local needs may trump ideology, too: If Syria’s Muslim Brotherhood took power, it might try to reduce Iranian influence in the country, and the United States would be a natural ally. See Hamid, \textit{supra} note 186, at 44.

\textsuperscript{189} See Hamid, \textit{supra} note 186, at 44 (stating that one likely set of democratic rulers, Islamists, “are well aware that getting tied up in controversial foreign policy efforts would cause the international community to withdraw support from the new democracies, thus undermining the prospects for a successful transition”).

\textsuperscript{190} Only 39% of Egyptians polled in 2011 believed their government cooperated too much with the United States government, and 55% felt it cooperated “not enough, or about the right amount.” PEW RESEARCH CENTER, \textit{supra} note 168, at 43. Seventy-nine percent of Egyptians viewed the United States somewhat or very unfavorably. \textit{Id.} at 37. The difference was less stark for Jordanians: 57% felt their government cooperated too much, while 38% felt it cooperated the right amount or too little; 84% had a very unfavorable or somewhat unfavorable view of the United States. \textit{Id.} at 43, 37.

\textsuperscript{191} In 2004, China extended a $2 billion line of credit to the government of Angola that allowed the African nation to reject International Monetary Fund financing that was conditioned on increased transparency in government finances. Patrick Keenan, \textit{Curse or Cure? China, Africa, and the Effects of Unconditioned Wealth}, 27 BERKELEY J. INT’L L. 83, 97–98 (2009).

\textsuperscript{192} The Brookings poll findings are suggestive: From 2010 to 2011, the United States’ favorability
countries must be willing to shift their policies to accommodate Arab citizens’ preferences, not just try to convince Arabs to support them. Without this flexibility, efforts at persuasion will seem patronizing. Western governments need to understand Arab citizens’ views, seriously consider the merits of those views, and consider modifying their own views and policies.

The fundamental interests of Western countries with respect to Arab countries should be broadly compatible with those of the vast majority of Arab citizens. At the top of the list for both should be economic development, domestic stability, and interstate peace. Internal and interstate peace support a fourth common objective, maintaining a regular flow of oil from Arab countries to international markets in order to support both Arab and Western economies. Improving government performance and reducing corruption in Arab countries—which are high priorities for many Arab citizens—should not hurt Western countries, and could benefit them, at least indirectly by enhancing development and stability.

The primary differences between the preferences of Western countries and those of Arab citizens concern means, not ends—their ultimate goals are fundamentally similar, but they see divergent paths to them. Western policymakers should try to resolve those differences by learning and weighing Arab citizens’ views and considering adjusting their policies, as well as—sometimes in parallel—trying to persuade Arabs of the merits of their preferred approach. Arab public opinion will not, and should not, determine how Western countries pursue their rating more than doubled, from 10% to 26%, and many named it as one of the two countries that had played the most “constructive” role in responding to recent events in the Arab world; only Turkey and France received more “votes” in the latter category. Telhami, supra note 31, at 3, 9.

These three interests are widely accepted as important by Western policymakers and analysts. See United Kingdom, Foreign and Commonwealth Office, Written evidence to House of Commons Select Committee on Foreign Affairs, “British foreign policy and the ‘Arab Spring’: the transition to democracy,” Session 2010–12, para. 17, http://www.publications.parliament.uk/pa/cm201012/cmselect/cmfaff/writev/arab/as07.htm (listing conflict prevention, energy security, terrorism prevention, and trade as key interests of the United Kingdom in the Middle East/North Africa region); U.S. Department of State, Bureau of Near Eastern Affairs, “Regional Topics,” http://www.state.gov/p/nea/rt/index.htm (last visited Feb. 6, 2012) (highlighting counterterrorism, “economic and political reform in the region,” rebuilding Iraq, and helping address the Israeli-Palestinian conflict as four “policy issues” on the agenda of the Bureau, which handles relations with all members of the Arab core, see supra text accompanying note 22, except Mauritania and Djibouti). Not all Western policymakers and analysts consider these interests to be the most important; the primary divergence from this view sees supporting Israel as an overridingly important end in itself. Even on the relationship between Israel and the Palestinians, however, the views of ordinary Arabs may be closer to Western policies than one might expect. In a recent poll covering Egypt, Jordan, Lebanon, Morocco, and the United Arab Emirates, 67% of respondents said they would accept peace with Israel if it “return[ed] all 1967 territories [to Palestinians] including East Jerusalem,” while only 23% believed Arab countries should “continue to fight” if that occurred. Telhami, supra note 31, at 33. The prospects of this outcome are dim in the short term, but 1967 borders have long been the focus of negotiations over a long-term settlement, with disagreement focused on how they will be tweaked. In any case, solving the Israeli-Palestinian conflict will require Israelis and/or Palestinians themselves to move their positions substantially toward each other. Americans, Europeans, and Arabs should find it easier to converge with each other than Israelis and Palestinians themselves, since they have less at stake in the conflict.

To be sure, individual Western interests could be hurt by reducing corruption and improving government performance. For example, particular Western companies may find it easier to secure lucrative contracts through bribery than through fair competition. In the aggregate, however, companies based in Western countries may be more likely to be disadvantaged by corruption than non-Western competitors, such as those based in China, because more Western countries forbid bribery overseas by their companies. See Jennifer A. Zerf, Extraterritorial Jurisdiction: Lessons for the Business and Human Rights Sphere from Six Regulatory Areas 30–59 (2010) (academic report written to inform the United Nations Special Representative of the Secretary-General on Business and Human Rights).
interests, of course; domestic forces within Western countries—foreign policy elites, organized interest groups, and ordinary citizens—will have the most influence by far. But preferences are not static: Respectful engagement may modify Western leaders’ and citizens’ understandings of how best to pursue their fundamental goals, just as it may change Arab citizens’ views.

Seeing Arab citizens, rather than autocratic regimes, as strategic allies would improve Western countries’ position as global power shifts over the coming decades. The era of U.S. hegemony that began after the Cold War appears to be over, with the power of the United States, and of other Western countries, declining relative to China, Brazil, India, and other large, rapidly developing countries. China is competing vigorously with Western countries for influence in Africa, and the importance of oil to its economy suggests that it should take a long-term interest in Arab countries. If competition for influence in the Arab world intensifies, Western countries may find the trust and support of the citizens of new Arab democracies to be an invaluable resource. Democratic Arab citizens convinced of the benign intentions of the West can be more reliable allies than dictators concerned only with their and their domestic supporters’ survival and advancement.

2. Israel, Arab Democracy, and Western Policy

Western countries should not fear Arab democratization out of concern for Israel. Israeli leaders reportedly see democratization in Arab countries as a threat, because they believe Arab citizens are more hostile to them than Arab dictators have been. Democratically accountable Arab leaders would, by this analysis, feel constrained to oppose Israel more vigorously than they have to date. At the extreme, democratically elected Arab leaders could militarily attack Israel to generate political support at home, for example if economic stagnation was eroding their support. Prime Minister Benjamin Netanyahu concluded that the events of 2011 moved Arab countries “backward” and amounted to an “Islamic, anti-Western, anti-liberal, anti-Israeli, undemocratic wave.” In his view, therefore, democratization in Arab countries undermines Israel’s interests.

Israelis themselves do not all share that conclusion, and even if it were...


196 See generally EDWARD D. MANSFIELD & JACK SNYDER, ELECTING TO FIGHT: WHY EMERGING DEMOCRACIES GO TO WAR (2005) (arguing that leaders of countries with weak democratic institutions often rally support by invoking external threats and using belligerent, nationalist rhetoric, and often end up at war). This fear resonates with the memory of Nazis blaming Jews for Germany’s economic crisis in the 1920s.

197 See Thomas L. Friedman, The Arab Awakening and Israel, N.Y. TIMES, Nov. 30, 2011, at A31; see also Bronner, Beyond Cairo, supra note 195 (quoting a former Israeli ambassador to Egypt as saying, “Egypt is not going toward democracy but toward Islamicization. . . . It is just like what happened in Iran in 1979.”).

198 A 2011 Brookings Institution poll found that 44% of Israeli Jews thought that Israel would benefit if the Arab Spring led to more democracy in the Arab world. Twenty-two percent said it would be to Israel’s detriment. Fifty-one percent of Israeli Jews said the impact of the Arab Spring was mostly negative. SHIBLEY TELHAMI, THE 2011 PUBLIC OPINION POLL OF JEWISH AND ARAB CITIZENS OF ISRAEL (2011), available at http://www.brookings.edu/reports/2011/1201_israel_poll_telhami.aspx. Arab democracy could benefit Israel in a variety of ways. For example, Islamists may be more hostile to Israel than other political forces, and, as argued below, democracy is more likely than autocracy to...
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correct, it should not be extended to the United States and other Western countries. If democratization of Arab countries seriously threatened the existence of Israel or risked conflict that would cause mass Israeli casualties, then the United States and other Western countries might have a responsibility to oppose it. But that is not the case: Arab countries will not pose a substantially greater military threat to Israel when governed democratically than they do now. It is entirely plausible that Arab leaders might engage in rhetorical Israel-bashing to curry favor with their electorates, but such statements are not evidence of a higher risk of violence; U.S. politicians routinely blame domestic unemployment on China, which they say overvalues its currency.

Reckless populism could, in theory, lead to actual war, but Arab countries are very unlikely to attack Israel at this point for at least two reasons: They would lose on the battlefield—perhaps catastrophically—and they would suffer extreme retribution from the United States and probably European countries. Democracy would intensify the former concern: Political scientists have found that democracies contemplating military action are more sensitive than autocracies to their chances of victory. Israel has defeated Arab coalitions in three major wars, in 1948, 1967, and 1973. In the Six-Day War in 1967, it humiliated its opponents, destroying Egypt’s entire air force on the ground in a matter of hours. Even in 1973, taken by surprise on the most solemn holiday in the Jewish calendar, Israel won a two-front war against far larger Egyptian and Syrian forces supported by Saudi Arabia, Jordan, and Iraq. Israel is far less vulnerable now: Its conventional forces are dramatically stronger than its neighbors, Arab states are not backed by a world power that could deter the United States from intervening militarily on Israel’s side (as the Soviet Union did in 1973), and Israel possesses the ultimate deterrent: nuclear weapons. Arab leaders would have to be irrational, even politically suicidal, to attack Israel, and if they did, Israel would almost certainly defeat their
countries decisively.

With violent catastrophe for Israel out of the question, a more mundane principle of national self-interest should control: The foreign policies of the United States and other Western countries should aim to maximize their own interests, not Israel’s. There may be substantial convergences in Western and Israeli interests, but these should be discovered, not assumed, and should be weighed against other Western interests, such as peace inside Arab countries, and the principle that all people should be able to govern themselves.205 More than twenty years of Western diplomacy in the region shows that outside powers can facilitate negotiations between Israel, its Arab neighbors, and Palestinians, but that ultimately it is up to the parties themselves to find sufficient common ground for agreement. The chief responsibility for maintaining or improving Israeli relations with Arab countries belongs to Israel itself. Like Western countries, Israel can try to improve its standing among Arab citizens through a combination of communication and substantive policy change.

IV. ENGAGING POLITICAL ISLAM

Part III argued that democratization in Arab countries would advance four important Western interests in the region: stability within those countries, peace among them and with other states, minimization of terrorism that targets the West, and friendly relations between Arab and Western countries. This Part addresses a possible counterargument: that Arab democratization would undermine Western interests because it would bring to power Islamists who would take various undesirable actions. A wide spectrum of Western commentators, from neoconservatives to feminist human rights activists, have expressed concern that democracy in Arab countries will increase the influence of conservative religious (Muslim) forces in those countries’ politics, social life, and foreign policy. Some fear that Muslim extremists will be voted into office, then abrogate democracy, severely restrict the rights of women and religious minorities, oppose Western countries at every turn, and even sponsor terrorist attacks against them.206 More measured analysts see little risk that democratically elected Islamists would overthrow the political system, export terrorism, or turn their foreign policies against the West. They are more concerned that elected Islamists might try to restrict the role of women in society and limit the rights of religious minorities, such as Coptic Christians in Egypt, to practice their religion and participate in public life.207


207 Minority Muslim denominations, such as Shiites in Sunni-dominated countries, may be as likely to be targeted as non-Muslims. See NATHAN J. BROWN, AMR HAMZAWY & MARINA OTTAWAY, ISLAMIST MOVEMENTS AND THE DEMOCRATIC PROCESS IN THE ARAB WORLD: EXPLORING THE GRAY ZONES 16 (2006).
This Part argues that these concerns do not justify ambivalence about democratization and that, to the contrary, continued autocracy is more likely to strengthen religious conservatives in the long run. Religious conservatives are indeed likely to gain power through democratic elections in Arab countries.\(^{208}\) For the reasons set out in Subpart III.D.1, above, it is unlikely that democratically elected Islamists would sponsor terrorism against Western countries or reverse the cooperative position their authoritarian predecessors adopted. This Part focuses on religious conservatives’ potential impact within their countries, especially on the rights of women and religious minorities. Westerners’ extreme fears on this point are overblown. It is unlikely that democratically elected Islamist governments in Arab countries would overthrow democracy in order to entrench permanent Islamist rule, because their mostly secular military forces might well stage a counter-coup, backed by Western countries, and then purge Islamists from power. Elected Islamists are also very unlikely to transform the social positions of women or religious minorities, although those groups do face some risk. The analysis in this Part suggests that the likelihood that Islamists will implement seriously problematic domestic policies is low and that supporting autocracy to limit their influence is likely to backfire. Concerns about elected Islamists’ actions in office therefore should not limit Western countries’ enthusiasm for democratization in Arab countries, let alone lead them to oppose it, as they did in Algeria in 1992.\(^{209}\)

This Part begins, in Subpart A, by clarifying terminology and addressing common misunderstandings about Islamists. Subparts B and C identify factors that may dissuade Islamists from advancing restrictive social agendas if they gain power: Participation in politics may trigger a variety of moderating dynamics, and economic opportunities and government performance appear to be more important to most Arab citizens than legislating morality. Subpart D notes that even if elected Islamists attempt to limit the rights of women or religious minorities, domestic and international influences may constrain their ability to do so. Subpart E

\(^{208}\) Islamist parties’ convincing victories in all three of the major elections held across the region in 2011 should settle the uncertainty about Islamists’ electoral prospects that scholars felt before the Arab Spring. Compare Charles Kurzman & Ijlal Naqvi, Do Muslims Vote Islamic?, J. DEMOCRACY, Apr. 2010, at 51, 54–56 (interpreting the results of 160 elections in Muslim countries—including many Arab ones—over nearly 40 years as showing that popular support for Islamists was weak), with Shadi Hamid, Arab Islamist Parties: Losing on Purpose?, J. DEMOCRACY, Jan. 2011, at 68, 68 (arguing, against Kurzman and Naqvi, that Islamists had not vigorously contested the elections in which they had participated). In Tunisia’s October 2011 elections, the moderate Islamist Ennahda party won a plurality of seats in the constituent assembly that will write a new constitution; its 41% share tripled the 13% won by its nearest competitor. ECONOMIST INTELLIGENCE UNIT, COUNTRY REPORT: TUNISIA 10 (Dec. 2011). In Morocco, a relatively moderate Islamist party, the Justice and Development Party (PJD), won a 27% plurality of seats in parliament, compared to 15% for its nearest rival, and was asked by the King to form the next government. ECONOMIST INTELLIGENCE UNIT, COUNTRY REPORT: MOROCCO 10 (Dec. 2011). In elections for Egypt’s lower, but more powerful, house of parliament, in late 2011 and early 2012, the Muslim Brotherhood’s Freedom and Justice Party won 235 seats (47.2% of the total of 498 elected seats) and the ultraconservative Salafists’ Nour Party won 121 (24.3%). (The chamber included 10 members appointed by the SCAF in addition to the 498 elected members.) See Egypt’s New Assembly Elects Muslim Brotherhood Leader, BBC NEWS (Jan. 23, 2012), http://www.bbc.co.uk/news/mobile/world-middle-east-16677548. Further confirmation of Islamists’ central role in politics came in October, when Jordan’s newly appointed prime minister asked the country’s leading Islamist political party, the Islamic Action Front, to join the government, an offer it declined. See Nicolas Pelham, Jordan Starts to Shake, N.Y. REV. BOOKS, Dec. 8, 2011, at 50.

\(^{209}\) See also Sean L. Yom, Jordan: Ten More Years of Autocracy, J. DEMOCRACY, Oct. 2009, at 164 (describing how fear that Islamists would win democratic elections led the U.S. government to relax its pressure on the Jordanian government to democratize).
acknowledges that the analysis so far provides no guarantee for women and religious minorities against Islamist encroachments on their rights, but argues that opposing democratization is the wrong way for Western countries to address this risk. Subpart F urges Western countries to monitor developments carefully, engage with Islamist political forces, and use their influence in Arab countries to try to moderate any proposed restrictions on women and minorities.

A. Who Islamists Are

Conceptual and terminological confusion plagues popular and policy discourse about the relationship between religion and politics in Arab countries. This Subpart responds to, and attempts to clarify, concerns about certain Muslim actors in Arab countries who are described with a range of confusing labels. Nearly all of those actors fall into one or both of two categories: politically engaged Muslims in Arab countries who believe that religion should play a greater role in politics and government and those who identify themselves religiously in political contexts. Those actors include groups such as Egypt’s Muslim Brotherhood, religious political parties such as Morocco’s Justice and Development Party (PJD), some religious leaders, and a substantial swath of the citizenry in many Arab countries. This Article uses the familiar term “Islamist” to cover all of those people, but sometimes employs “religious conservative” as a synonym to remind the reader that the views of these actors are not unique to Islam.

Sweeping generalizations in Western commentary often obscure two important truths. The first is that violent extremists such as Al Qaeda constitute a miniscule fringe among Islamists. This should be obvious, but mainstream Western commentators regularly mention Al Qaeda and the Egyptian Muslim Brotherhood in the same breath. The implicit equation of the two suggests that all Muslims who believe religion should play a greater role in politics are committed to religious slaughter—a view that can come only from ignorance, prejudice, or both. The overwhelming bulk of Islamist organizations and individuals with Islamist views, as

210 In this Article, references to “the Muslim Brotherhood” or “the Brotherhood” signify the Egyptian Muslim Brotherhood, even though the Brotherhood has branches across the Arab world, because the Egyptian one receives by far the most attention in Western discussions of Islamism.


212 Cf. Paul R. Pillar, Foolish Suspicion of Political Islam, NAT. INTEREST (Jan. 29, 2012), http://nationalinterest.org/blog/paul-pillar/foolish-suspicion-political-islam-6422 (criticizing analysts who view “parties such as the [Egyptian Muslim] Brotherhood . . . that have an Islamic identity . . . differently from parties with some other religious identity,” such as Christian and Hindu ones). Al Qaeda has condemned democracy, slaughtered thousands of innocent civilians, and aims to create a pan-Islamic caliphate based on an extremely restrictive interpretation of Islamic law. The Brotherhood has contested elections in Egypt for decades, provides social services to ordinary Egyptians on a mass scale, foreshowed violence long ago, and appeals for votes on the basis of its administrative competence rather than moral rectitude. NATHAN J. BROWN, WHEN VICTORY BECOMES AN OPTION: EGYPT’S MUSLIM BROTHERHOOD CONFRONTS SUCCESS 16 (2012). While the Brotherhood’s positions on some issues are ambiguous, it is unreasonable to assume they are extreme without evidence. See id. at 12–17; see also Michael McFaul & Tamara Cofman Wittes, The Limits of Limited Reforms, J. DEMOCRACY, Jan. 2008, at 19, 25 (“Within the Arab world, some self-identified Islamists, such as al-Qaeda in Iraq, seek the re-creation of the caliphate as their main goal and use terror as their means. . . . [O]thers have embraced democracy (even while their governments have not) and reject any form of violence as a strategy for achieving their ends . . . .”).
defined above, reject violence as a means of changing society or gaining political power domestically.\textsuperscript{213}

The second important truth about Islamists is that the social and political views and priorities of those outside the violent fringe vary greatly.\textsuperscript{214} Many but not all are willing to participate in electoral politics.\textsuperscript{215} Islamists’ positions on the role of women in society tend to be much more conservative than the Western mainstream, but range from Egyptian Salafists who object to women running for office\textsuperscript{216} to Tunisia’s Ennahda party, some of whose female candidates do not even wear headscarves.\textsuperscript{217} Many Islamist parties are internally diverse, with more and less liberal factions.\textsuperscript{218} Some have adopted notably democratic internal procedures: The Muslim Brotherhood held elections for every level of party official in 2004 and 2005, and the internal structure of Jordan’s Islamic Action Front “mirrors that of a democratic state, with a complex set of institutional checks and balances . . . [and] accountability of party officials.”\textsuperscript{219} The vast majority of Islamists believe that \textit{sharia}—Islamic law—should form the basis for state law.\textsuperscript{220} But this superficial consensus masks tremendous diversity of opinion on the more important questions of what \textit{sharia} requires and how to ensure that state law follows \textit{sharia}.\textsuperscript{221}

\textbf{B. Moderation Through Participation}

Impetuses of political competition may discourage most Islamist politicians and parties from pursuing social policies that would dramatically change the status quo in their countries, for example to sideline women or religious minorities. Ordinary Arabs may care more about improving economic opportunity and government service delivery than about enacting a conservative social agenda. Islamist parties’ recent electoral success may result as much from their reputation for competence and their organizational strength as from voters’ sympathy with the parties’ positions on social and moral issues. Finally, other actors inside and outside the state will limit elected Islamists’ power. Under these circumstances,
ordinary dynamics of electoral competition and of governing a state will steer many Islamists away from trying to use government as a vehicle for substantial conservative social change.

Numerous analysts of Arab politics believe that participation in the political process will tend to moderate Islamists’ positions. Several dynamics could have this effect. First, the “median voter” theory in political science predicts, in its simplest form, that competitors for votes will adopt positions close to the center of the political spectrum, because doing so will attract more support than extreme platforms. Political scientists developing this model further have found rational electoral strategies that involve adopting more extreme positions, but the central insight that competition for votes promotes moderation may hold in some cases in the Arab world. In this vision, the most successful parties will be those that “integrate Muslim values and moderate Islamic politics into broader right-of-center platforms that go beyond exclusively religious concerns. Such forces can appeal to a broad cross-section of voters and create a stable nexus between religious and secular drivers of electoral politics.”

In Morocco, the PJD won a parliamentary plurality in 2011, but was pressed by a major potential coalition partner to commit to supporting women’s equality and other human rights. Practical aspects of politics are a second force that could draw Islamists away from extreme positions. The array of practical tasks—organizing people, interacting with voters, even arranging the printing and delivery of campaign materials—requires political movements to seek out and promote people with skill in those areas, and comparatively diminishes the stature of ideologues within organizations.

Third, allowing Islamist movements to form separate political parties can make it easier for the movements’ political activists to adopt moderate positions. (For example, until 2011 the Egyptian government did not permit the Muslim

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222 See, e.g., JONATHAN BROWN, SALAFIS AND SUFIS IN EGYPT 14 (2011) (noting that involvement in politics moderated Kuwaiti Salafists and arguing that the same is likely to occur with Egyptian Salafists); Amr Hamzawy & Nathan J. Brown, A Boon or a Bane for Democracy?, J. DEMOCRACY, July 2008, at 49, 51; Philpott, supra note 221, at 516 (stating that exclusion of Islamists from politics has isolated them from the “moderating influences of democratic competition, compromise, and public argument”); Marc Lynch, America and Egypt: After the Uprisings, SURVIVAL, Apr.–May 2011, at 31, 38 (“[P]olitical inclusion is the best way to steer [Egyptian] Islamists in a more moderate direction.”). Jillian Schwedler offers a sophisticated and timely analysis of some arguments that participation in politics will moderate Islamists, but does not predict whether these will hold with respect to any of the particular groups that, at this point, appear most likely to gain power, such as the Muslim Brotherhood. See Jillian Schwedler, Can Islamists Become Moderates? Rethinking the Inclusion-Moderation Hypothesis, 63 WORLD POL. 347 (2011).

223 See Sheri Berman, Taming Extremist Parties: Lessons from Europe, J. DEMOCRACY, Jan. 2008, at 5, 6. This analysis was first advanced by Harold Hotelling, who argued that political competition for the middle had caused the political platforms of Republicans and Democrats in the United States to converge. See Harold Hotelling, Stability in Competition, 39 ECON. J. 41, 54 (1929).


225 ECONOMIST INTELLIGENCE UNIT, COUNTRY REPORT: MOROCCO 11 (Dec. 2011). Even the ultraconservative Salafists in Egypt moderated their rhetoric and practice with respect to women during 2011 as they moved into politics. The party’s website highlights women’s important role in the country’s economy and their participation in politics near the time of Mohammed. Its program denounces violence against women. See BROWN, supra note 222, at 10. With respect to Coptic Christians, the largest religious minority in Egypt, it is worrying that Salafists have played an important role in violent attacks on churches, but reassuring that their political party, al-Nour, has stated that Egyptian law must protect Copts’ personal religious rights. See id.

226 See Berman, supra note 223, at 6.
Brotherhood to form a political party.\footnote{While the Brotherhood previously was technically banned, the Egyptian government tolerated its activities and members were elected to Parliament. For a summary of the evolution of the movement’s involvement in formal politics, see Amel Lamnaouer & Atef Abu Saif, \textit{Political Integration of Islamist Movements Through Democratic Elections: The Case of the Muslim Brotherhood in Egypt and Hamas in Palestine}, EUROMESCO Paper 63, Sept. 2007, at 10–13, available at \url{www.euromesco.net/images/paper63eng.pdf}.} Analysts of Arab politics at the Carnegie Endowment for International Peace explain the dynamic clearly: “As political organizations, Islamist movements face an imperative to be flexible and pragmatic. As religious organizations, however, they are more inclined to use the dogmatic, absolutist language of the preacher and to focus on moral issues of good and evil that do not lend themselves to nuance and democratic bargaining.”\footnote{See Brown et al., supra note 207, at 7.} Formal separation of the two functions reduces the power of one factor that presses the political activists to emphasize moral issues and take hardline stands.

It is far too early to know how much these dynamics will affect the actions of Islamist political forces as political space opens in Arab countries. Some early signs are promising, however. Well before the Arab Spring, some studies had found “that the influence of the reformers in the Egyptian Muslim Brotherhood has waxed when the government has allowed some form of political participation and waned when the government turned more repressive.”\footnote{Id. at 19; see also Amr Hamzawy, \textit{Party for Justice and Development in Morocco: Participation and Its Discontents} 1–2 (2008), \url{http://carnegieendowment.org/files/cp93_hamzawy_pjd_final1.pdf} (suggesting that the “participation-comes-first” orientation of the PJD and Islamists in Kuwait and Bahrain might have arisen “mostly because of the lack of repressive and exclusionary conduct on behalf of the ruling regimes”).} In 2011, Islamist political discourse diversified dramatically, and more moderate members of the Muslim Brotherhood split off to form their own political parties.\footnote{See Shadid & Kirkpatrick, supra note 218 (“[A] growing number of politicians and parties argue for a model inspired by Turkey, where a party with roots in political Islam has thrived in a once-adamantly secular system. Some contend that the absolute monarchy of puritanical Saudi Arabia in fact violates Islamic law.”).} Meanwhile, senior Brotherhood figures expressed conciliatory positions on the role of women in politics.\footnote{See Now Is the Time, \textit{Economist}, Oct. 15, 2011, at 29–32.} Even after winning elections in Tunisia, Ennhada felt compelled to “reaffirm its commitment to the women of Tunisia, to strengthen their role in political decision-making, in order to avoid any going back on their social gains.”\footnote{Tunisia’s Islamists “Reaffirm Commitment to Women”, \textit{BBC News} (Oct. 28, 2011), \url{http://www.bbc.co.uk/news/world-africa-15496990}.} There are even signs that participation could draw hardline Salafists toward the center in Egypt and Jordan.\footnote{See Brown, supra note 222, at 16; \textit{Economist Intelligence Unit, Country Report: Jordan} 11 (Dec. 2011).}

C. Prioritizing Delivery Over Moral Renewal

Arab voters’ practical orientation may also draw Islamist politicians away from a social agenda that could disadvantage women and minorities. The information available in English\footnote{This Article’s reliance on English language sources is an undeniable limitation.} on their preferences is only suggestive, not conclusive, and its quantity varies dramatically by country, with much more...
coverage of Egypt than of other Arab countries. What is available, however, tends
to indicate that Arab citizens see increasing economic opportunity; improving
government performance, including delivery of services such as electric power and
health care; and reducing corruption as more urgent than changing the role of
women or religious minorities in society or promoting a conservative vision of
social morality. The former grievances, along with a desire to end repression and
gain political voice were widely reported to have driven the Arab Spring
uprisings. Arab citizens—like their peers around the world—seem to see their
elected representatives as means for accessing government resources as much as for
implementing their policy preferences.

Here, too, it is too early to draw conclusions, but there is some evidence
that Islamist politicians are following these priorities. Political scientist Tarek
Masoud examined the activities of Muslim Brotherhood representatives in the
Egyptian Parliament in 2006 and concluded that they devoted far more attention to
addressing problems in their districts such as “dilapidated hospitals, crowded
schools, and inadequate housing” than to “anything to do with Islam.” That
behavior could change once they have the power to enact a social agenda, but after
the Brotherhood’s Freedom and Justice Party won the first round of parliamentary
elections in 2011–12, its secretary-general said the party was focused on “what we
are going to do for the poor, what we are going to do about health, what we are
going to do about education. Those are the priorities, and they will take years to
fulfill.” The PJD in Morocco “spent much of its [2011] campaign focusing on
socioeconomic issues such as reducing poverty and improving healthcare, rather
than on religious or moral issues such as banning alcohol.” In many countries,
Islamist groups have track records of assisting the population through their

235 See, e.g., MARINA OTTAWAY & AMR HAMZAWY, PROTEST MOVEMENTS AND POLITICAL
OttawayHamzawy_Outlook_Jan11_ProtestMovements.pdf; Maria Cristina Paciello,
Egypt’s Last
Decade: The Emergence of a Social Question, in EGYPT: A NEO-AUTHORITARIAN STATE STEERING
THE WINDS OF CHANGE 8, 9 (Daniela Poppi et al. eds., 2011); Tarek Masoud, The Road To (and From)
Liberation Square, J. DEMOCRACY, July 2011, at 20; Peter J. Schraeder & Hamid Redissi,
Ben Ali’s Fall, J. DEMOCRACY, July 2011, at 5, 7–12; Lisa Anderson, Demystifying the Arab Spring, 90 FOREIGN
AFF. 2, 3–7 (2011); Dina Shehata, The Fall of the Pharaoh: How Hosni Mubarak’s Reign Came to an End, FOREIGN AFF., May/June 2011, at 26 (2011); Foreign and Commonwealth Office, supra note 193, paras. 10, 15–16.

236 See Ellen Lust, Competitive Clientelism in the Middle East, J. DEMOCRACY, July 2009, at 122,
125–28 (describing “voting for services” in Jordan, Egypt, Iraq, Lebanon, Morocco, Syria, and
Algeria). Such “pothole politics” is important to citizens around the world. The websites of Members
of Congress in the United States and of Parliament in the United Kingdom, for example, showcase their
service to constituents, often more prominently than their policy positions. This is true even for those
with national leadership positions. See, e.g., DOUGLAS ALEXANDER MP,
http://douglasalexander.org.uk (last visited May 17, 2012) (Alexander is a Member of the U.K.
Parliament and the Shadow Foreign Secretary); UNITED STATES SENATOR FOR NEVADA HARRY REID,
http://www.reid.senate.gov (last visited May 17, 2012) (Reid is the Senate Majority Leader);
CONGRESSMAN JAMES E. CLYBURN, http://clyburn.house.gov (last visited May 17, 2012) (Clyburn is a
Member of the U.S. House of Representatives and House Minority Whip).

237 Tarek Masoud, Islamist Parties: Are They Democrats? Does it Matter?, J. DEMOCRACY, July
2008, at 19, 23.

238 Fadel, supra note 201; see also BROWN, supra note 222, at 17 (concluding that the FJP “seeks
for now to offer competence, technocratic administration, and probity rather than an end to moral laxity”).

extensive social service networks.\textsuperscript{240} That work has built considerable public goodwill and a reputation for efficiency among the public that may give them a substantial advantage over liberal political activists who have no record of delivering practical value to voters.\textsuperscript{241}

\textbf{D. Domestic and International Counterweights}

Voter preferences are unlikely to dissuade all elected Islamists from advancing conservative social agendas. Some voters presumably share those values and vote for Islamists at least partly for that reason. Even if Islamists judge that conservative policy initiatives will appeal to voters, however, certain domestic and international forces may constrain their ability to implement them. At home, they may face resistance from other power centers within and outside government. Simply winning an election "would not mean that all other social forces—from the military to businessmen to workers—would suddenly disappear, leaving the Islamists free to do as they pleased."\textsuperscript{242} Some of these actors might support conservative social change, but any who did not might be able to mount significant resistance. If Islamists governed in coalition, they might face challenges from current or potential partners that are more liberal, as the PJD has.\textsuperscript{243} Looking forward, monarchs in Morocco and Jordan may retain some power even if they relinquish enough for their countries to be considered true democracies. Judges may be able to slow or halt executive action. In many countries, the security forces wield considerable power even after a transition to democracy,\textsuperscript{244} and the leaders of those in the Middle East tend to hold secular views.\textsuperscript{245}

International influences are very likely to resist any attempts by elected Islamist leaders to restrict the rights of women or minorities. Western power is one factor. Secretary of State Clinton has elevated women’s rights among U.S. foreign policy goals, and former President Sarkozy repressed even symbolic religious expression by Muslims in France.\textsuperscript{246} U.S. and European countries’ support for the

\begin{footnotesize}
\textsuperscript{240} SHADI HAMID & AMANDA KADLEC, STRATEGIES FOR ENGAGING POLITICAL ISLAM 2–3 (2010), http://pomed.org/strategies-for-engaging-political-islam. The Egyptian and Jordanian branches of the Muslim Brotherhood are good examples.

\textsuperscript{241} This evidence of the importance of service delivery to Arab voters, and of Islamists’ advantage in that area, suggests that some of the voters who supported Islamist parties in Tunisia, Egypt, and Morocco in 2011 may disagree with those parties’ conservative social views. However, there is no clear evidence that indicates whether any divergence is trivial or dramatic.

\textsuperscript{242} Masoud, supra note 237, at 21.

\textsuperscript{243} See supra text accompanying note 225.

\textsuperscript{244} See, e.g., WRIGHT, supra note 45, at 181–200 (describing military influence over democratic leaders in Chile in the 1990s).

\textsuperscript{245} See Hamid, supra note 186, at 44. In Turkey—a non-Arab country—the military and judiciary have slowed Islamists’ ascent by mounting coups, barring candidates from running for or taking office, and dissolving entire parties. Even once in office, these institutions have constrained the ability of Turkey’s Justice and Development Party (Adalet ve Kalkınma Partisi—or AKP) to implement religiously influenced policies. See Aslı Ü. Bâli, The Perils of Judicial Independence: Constitutional Transition and the Turkish Example, 52 VA. J. INT’L L. 235, 279–90 (2012). Turkey’s judiciary and military may be more aggressively secular than their counterparts in any country in the Arab world, but secular-minded judges or soldiers could significantly influence elected Islamists’ policy agendas through less assertive interventions.

\textsuperscript{246} See Steven Erlanger, France Enforces Ban on Full-Face Veils in Public, N.Y. TIMES, Apr. 12, 2011, at A4.
\end{footnotesize}
1992 coup in Algeria that prevented elected Islamists from taking power, and their isolation of the elected Hamas government in Gaza, loom large in the minds of Islamists throughout the Arab world. Shadi Hamid, Director of Research at the Brookings Institution’s Doha Center, reports that “Islamist leaders often speak of the ‘American veto’—the idea that the United States can block democratic outcomes not to its liking.”

Even before the Arab Spring, “Islamist groups [were] devoting greater attention to reaching out to Western publics and policymakers,” including through English-language websites, op-eds in Western newspapers, and goodwill tours of Western countries. Even if Islamist groups’ proclamations of moderation were mere lip service to Western concerns, the power that induces the lip service would likely constrain Islamists’ actions in office as well. Western countries will have to tread very carefully in trying to influence Arab countries’ internal policies, because they will be accused of inappropriate meddling, perhaps especially in the culturally loaded areas of women’s and minority rights. However, they can choose to push back against any Islamist attempts to restrict those rights rather than oppose democratization entirely.

Arab countries’ international human rights obligations could have a similar moderating impact, although its magnitude might be small. Conservative policies toward women and limits on the rights of religious minorities could run afoul of those obligations. International human rights law is often honored in the breach, of course, including in Arab countries. Mubarak, Ben Ali, and Qaddafi—among others—systematically violated the human rights treaties to which their countries were party, including by torturing political opponents. States do feel pressure to fulfill their human rights obligations, however, and democratically elected Arab rulers might respond to them.

247 See Hamid, supra note 208, at 74
248 See HAMID & KADLEC, supra note 240, at 4.
250 For example, the ICCPR requires that states “ensure the equal right of men and women to enjoyment of all of the rights it guarantees,” ICCPR, supra note 39, art. 3, and respect and ensure them without distinction based on religion, id. art 2(1). It requires that both spouses “ful[y] and free[ly] consent” to marriage and that they have equal rights in the event of its dissolution. Id. art 23. The rights of ethnic, religious, and linguistic minorities are specifically protected by Article 27, which states that members may not be denied the right to “profess and practice their own religion,” including collectively. Id. art. 27. The International Covenant on Economic, Social, and Cultural Rights (ICESCR) and Covenant on the Elimination of All Forms of Discrimination Against Women (CEDAW) provide extensive protections for women and members of religious minorities. (For the latter, the clauses guaranteeing all rights without discrimination based on religion are most important.) See, e.g., ICESCR, supra note 39, at arts. 2(2), 3, 7(a)(i), 13(2)(a); CEDAW, supra note 58. Of the fifteen “core” Arab states on which this Article focuses, see supra text accompanying note 22, Algeria, Bahrain, Djibouti, Egypt, Jordan, Kuwait, Libya, Mauritania, Morocco, Syria, and Tunisia are parties to the ICCPR and the ICESCR. All fifteen are parties to the CEDAW.

251 Furthermore, Islamists were often the victims of autocrats’ human rights violations, and international human rights organizations such as Human Rights Watch and Amnesty International, decried their treatment. See, e.g., HUMAN RIGHTS WATCH, “WORK ON HIM UNTIL HE CONFESSS”: IMPURITY FOR TORTURE IN EGYPT 12 (2011); Syria: Arbitrary Detention and Torture of Islamist Activists Must Stop, AMNESTY INTERNATIONAL (July 9, 2004), http://www-secure.amnesty.org/en/library/asset /MDE24/050/2004/en/770bde28-faaaf11dd-b6c4-73b1aa157d32/ mde240502004en.pdf (last visited May 18, 2012). The violations they suffered, such as arbitrary arrest and torture, differed from those that some fear they will perpetrate in office, such as gender discrimination. Nonetheless, some Islamists may have some positive feelings about international human rights generally that would make them at least marginally more receptive to human rights-based
E. No Alternative: Autocracy’s Boomerang Effect

The factors set out so far are likely to limit the inclination and ability of elected Islamists to significantly change the role of women in their societies or the rights of religious minorities, but they are not absolute safeguards. It is impossible to predict with certainty how any political actor will behave, and the political preferences of many Islamist groups and prominent figures are particularly unclear. Some inconsistencies in groups’ pronouncements may reflect splits within them, or changes in their positions over time. Large discrepancies on issues important to democracy and human rights, however, are worrying even if they do not result from intentional deception. Just after it won the largest share of seats in Tunisia’s parliament in late 2011, Ennahda made a powerful gesture to secularists by announcing it would not try to add a single reference to religion in the country’s new constitution. A few months later, however, the party reversed itself on one of the most important issues concerning the role of religion in politics, calling for a constitutional provision ordaining sharia as the main source of legislation. Islamists may well succeed in implementing measures that are limited but still restrict the autonomy of millions of people. Liberals, human rights activists, and women and minorities themselves therefore can reasonably ask whether Western policymakers should conclude that democratization is worth this risk.

Democracy’s instrumental and ethical attractions, set forth above, may justify that risk—but even if they do not, the alternative of supporting continued (or renewed) autocracy would be counterproductive. A middle course, political opening that excluded Islamists from politics and separated religion from government, might appear to be the most attractive option for Western liberals. This would resemble Turkey for most of the twentieth century. There, a staunchly secularist military, bureaucracy, judiciary, and political elite barred openly religious figures from politics until recently, and constrained them once they were voted into office. Such a system would be only partly democratic, but it is possible that it would solve the problem described here—that repression of political opponents in general leaves religious groups as the only locus for opposition to an autocratic government—because secular groups would be free to organize and engage in politics. Such a system would be difficult to implement in most Arab countries for two reasons, however. First, Islamist groups are already allowed to engage in politics in many of them. The inconsistency of reducing restrictions on secular opponents of the government while pushing Islamists entirely out of politics could seriously damage the legitimacy of the government, of the reform initiative, and potentially of the secular opponents who benefitted from it. Second, religion was purged from Turkish politics decades before the country became a democracy, and much of the country’s urban elite continues to support this strict separation. By contrast, survey data suggests that substantial majorities in many Arab countries believe that religion should play some role in politics or government.

Arguments.

252 See generally BROWN ET AL., supra note 207.
253 Tom Heneghan, Tunisian Constitution Will Make No Place for Faith, REUTERS, Nov. 4, 2011, available at http://in.reuters.com/article/2011/11/04/idINIndia-60331820111104. All parties, secular and Islamist, agreed that the new constitution should retain the first article of the current constitution, which names the country’s religion as Islam. Id.
255 A middle course, political opening that excluded Islamists from politics and separated religion from government, might appear to be the most attractive option for Western liberals. This would resemble Turkey for most of the twentieth century. There, a staunchly secularist military, bureaucracy, judiciary, and political elite barred openly religious figures from politics until recently, and constrained them once they were voted into office. See Bâli, supra note 245. Such a system would be only partly democratic, but it is possible that it would solve the problem described here—that repression of political opponents in general leaves religious groups as the only locus for opposition to an autocratic government—because secular groups would be free to organize and engage in politics. Such a system would be difficult to implement in most Arab countries for two reasons, however. First, Islamist groups are already allowed to engage in politics in many of them. The inconsistency of reducing restrictions on secular opponents of the government while pushing Islamists entirely out of politics could seriously damage the legitimacy of the government, of the reform initiative, and potentially of the secular opponents who benefitted from it. See Katerina Dalacoura, The 2011 Uprisings in the Arab Middle East, 88 INT’L AFF. 63, 75 (2012). Second, religion was purged from Turkish politics decades before the country became a democracy, and much of the country’s urban elite continues to support this strict separation. By contrast, survey data suggests that substantial majorities in many Arab countries believe that religion should play some role in politics or government. See, e.g., PEW RESEARCH CENTER, supra note 41, at 23 (reporting that 95% of Jordanians and 89% of Egyptians believe that laws should either “strictly follow the teachings of the Quran” or should “follow the values and principles of Islam”); Dalia Mogahed, Ordinary Muslims, GALLUP 2 (2006) (reporting that 90% of Egyptians, 93% of Jordanians, and 98% of Moroccans believed that sharia should be either one of or the only source of legislation); Mark Tessler, Do Islamic Orientations Influence Attitudes Toward Democracy in the Arab World? Evidence from Egypt, Jordan, Morocco, and Algeria, 43 INT’L J. COMP. SOC. 229, 238 (2002)
power of political Islam, democracy may be the worst form of government—except all the others. Arab autocrats’ repression of opposition is widely considered to have been among the most important contributors to Islamists’ popularity. For decades in Arab countries, religion has been one of the only sources of space for opposition to authoritarian regimes. Dictatorships restricted expression and gatherings outside state supervision except around mosques and Muslim religious organizations. Clerics could address large groups more often and more freely than could others not affiliated with the state. Furthermore, religiously based critiques of the social, the economic, and occasionally even the political status quo—explicit or oblique—were more difficult to dismiss or silence. As Wittes, the political scientist and former Deputy Assistant Secretary of State for Near-Eastern Affairs, has noted, repression of secular opposition means that “Islamists continue to enjoy space to organize, advertise and mobilize supporters that is denied to secular political activists.” Religiously based groups such as the Muslim Brotherhood attracted political support partly because they were the only alternative to the regime. Under Mubarak, Egypt’s Salafists largely avoided the repression that the Brotherhood suffered, because they eschewed politics altogether. More free to organize, they built a network of supporters estimated at two to four million, which drove them to a surprise second-place showing in the 2011 elections.

Supporting Arab autocrats is therefore likely to strengthen Islamists in the long run, unless they are repressed with a thoroughness that would require extreme brutality. Although some groups may be marginalized, as the Brotherhood periodically was under Mubarak, Islamists are likely to retain some ability to organize under clerical protection. Islamists who avoid politics, like the Egyptian Salafists, may be able to operate undisturbed. Secular opponents of the regime will have less space, and fall farther behind Islamists, because they will have no source of protection. Citizens who gravitate to Islamists because they oppose the regime eventually may be swayed by their conservative social views. Over time, Islamists are likely to grow stronger and stronger.

(reporting that 92% of Egyptians, 86% of Jordanians, 82% of Moroccans, and 75% of Algerians agreed or strongly agreed that “politicians who do not believe in God are unfit for public office).
support, repression may drive them toward more conservative positions. For the West to support autocracy in Arab countries out of fear that Islamists would oppress women and religious minorities would be counterproductive.

F. Engagement, Not Exclusion

Across the Arab world, Islamists, who believe religion should play a larger role in public life or identify religiously in political contexts, hold a wide spectrum of views about what rights women and religious minorities should possess and what roles they should play in social and political life. Although it is difficult to pin down the exact views of many important Islamist actors, the views of most appear to be more conservative than those of most Westerners and those of secular liberals in their own countries. Many women and members of religious minorities are therefore understandably concerned that democracy could bring Islamists to power. The combination of democratic political dynamics, Arab citizens’ priorities, and the potentially countervailing power of domestic and international forces should provide some reassurance. These factors may discourage elected Islamists from pursuing conservative social policies and constrain their ability to enact them. Some risk remains, however.

Western policymakers can try to reduce this risk, but attempting to eliminate it by supporting continued autocratic rule—or a reversion to it—would be counterproductive. As Masoud observes, “Islamists loom large because liberal opposition parties are so enfeebled.” Therefore, “[r]ather than wondering whether Islamists are not as bad as we think they are,” we should “bend [our] efforts toward lifting the government yoke off parties whose democratic bona fides are not the objective of anguished speculation.”

At the same time, Western governments should engage with leading Islamist actors. Many experts on foreign policy and the region advocate this approach. Doing so is necessary if Western countries hope to convince Arab citizens that they support democracy consistently, not just when it produces the outcomes they prefer. Regular interaction can help Western officials understand the internal dynamics of major Islamist groups and the views of key figures in them.

265 See BROWN ET AL., supra note 207, at 19 (referring to studies of the Muslim Brotherhood that found that reformers’ influence waned when government repression increased); Philpott, supra note 221, at 516.

266 It could also appear deeply hypocritical in light of Western countries’ support of the Saudi monarchy. That regime maintains some of the strictest restrictions on women of any country in the world, implementing an extreme interpretation of Islam (Wahhabism). The law subordinates women to their male relatives with respect to the most fundamental aspects of their lives, including what medical procedures they undergo and whether they work. Women’s participation in public life is heavily restricted and they are segregated from men (other than relatives) in most public places. Forced marriages are common, and domestic violence is legal. See HUMAN RIGHTS WATCH, LOOSER REIN, UNCERTAIN GAIN: A HUMAN RIGHTS ASSESSMENT OF FIVE YEARS OF KING ABDULLAH’S REFORMS IN SAUDI ARABIA (2010); HUMAN RIGHTS WATCH, PERPETUAL MINORS: HUMAN RIGHTS ABUSES STEMMING FROM MALE GUARDIANSHIP AND SEX SEGREGATION IN SAUDI ARABIA (2008).

267 Masoud, supra note 237, at 23.

268 Id.

Over time, they should aim to build trusting relationships that can form the basis for mutual accommodations on important policy matters in the event those groups take power. This activity would take place largely in private, so it is unclear whether Western governments are taking this approach, but the Obama Administration may be. In December, Deputy Secretary of State William Burns met Muslim Brotherhood officials in Cairo. Earlier in the year, Secretary of State Clinton commented that “the jury is out” on the compatibility of the Brotherhood’s views with U.S. policy. Deputy National Security Adviser Benjamin Rhodes described the rise of Islamists as a normal, acceptable development:

The president’s view is that we can’t let ourselves be driven by fear of change . . . . [I]t is a good thing when people are demanding the same rights that we ourselves believe in. Indigenous democratic movements are what the U.S. wants, even if they create short-term challenges and complexities.

A combination of Clinton’s guardedness and Rhodes’s receptiveness would strike the right balance.

V. CONCLUSION: SUPPORTING DEMOCRATIZATION

This Article has assumed that peaceful democratization in Arab countries would benefit most of those countries’ own citizens, at least in the long run. It has addressed a more parochial question: whether policymakers and citizens in Western countries should see such a political transformation as serving their interests and seek opportunities to support it. It concludes firmly that they should. Democratic political theory creates a powerful moral argument for this position; respect for national sovereignty, an important principle of international relations generally, should not deter judicious foreign efforts to assist democratization.

This Article’s primary argument has rested instead on Western countries’ more mundane interests in Arab countries: maintaining their internal stability in order to, among other things, maintain a steady flow of oil to international markets; avoiding interstate war in the region; reducing the number of terrorist attacks against Western countries; and maintaining generally cooperative relations with Arab states. The Article has argued that democratization in Arab countries would advance all four of those goals. It also has contended that the risk that elected Islamists would oppress women and religious minorities should not undermine the

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270 Shadi Hamid and Amanda Kadlec made many of these points a year before the Arab Spring. See HAMID & KADLEC, supra note 240, at 11–12.
271 See Fadel, supra note 238; see also David D. Kirkpatrick & Steven Lee Myers, Overtures to Egypt’s Islamists Reverse Longtime U.S. Policy, N.Y. TIMES, Jan. 4, 2012, at A1.
272 Jeffrey Goldberg, Danger: Falling Tyrants, ATLANTIC, June 2011, at 50.
273 Id. at 52.
West’s support for Arab democratization—in part because the alternative, continued or renewed autocracy, would probably increase that risk in the long run.

In analyzing Western countries’ relationship to democratization in the Arab world, this Article has implicitly elided the distinction between evaluation and intervention: It has contended that policymakers and citizens of Western countries should adopt the view that democratization will serve their interests and also should support it. Strictly speaking, the analysis presented above only justifies the first conclusion, that democratic change in Arab countries would serve Western interests, not the second one, that the West should do anything in particular to help it along. Western countries’ activist approach to international affairs justifies this elision, at least for the most powerful states: If they conclude that a particular development would serve their interests, they almost always seek ways to promote it.

The distinction matters, though. How Western countries should support democratic change in the Arab world may be as important a question as whether they should do so at all. Fully answering the question of means would require another article, and others have considered it carefully. The two questions cannot be fully separated, however, because some kinds of support could be counterproductive. Inept efforts by the United States, European countries, or others to influence political change in Arab states could slow or reverse democratization processes or curtail some of democracy’s benefits. The U.S.-led invasion and occupation of Iraq, justified in part as a mission to liberate Iraqis from a brutal dictator and create a democracy, should loom large in the mind of anyone inclined to urge the West to facilitate democratization in the Arab world or anywhere else. This is an extreme example, but the hundreds of thousands of Iraqis killed by fellow citizens or foreign combatants—or, for advocates of brutal realpolitik, the substantial decline in the United States’ global prestige and credibility—demonstrate how much damage Western countries can do by employing their power carelessly and incompetently.

Western countries must step carefully as they try to support democratic change: Their power is limited and they can neither direct change nor serve as its primary drivers. Their efforts must be guided by subtle, in-depth analysis of local power dynamics and of how their influence functions in each particular national context. Grand-scale political change—including the transformation from autocracy to fully fledged democracy—involves myriad changes in the goals, ways of thinking, and patterns of interaction of millions of individual citizens, politicians, bureaucrats, soldiers, judges, clerics, and other actors. The process of democratization is invariably complex, includes many unexpected twists (some of them momentous), and often lasts decades. Scholars have not yet answered many of the most important questions about it.

In evaluating developments in each country and steps they might take to

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275 Thomas Carothers, Tamara Cofman Wittes, and Michael McFaul have offered particularly insightful analysis of how the United States and other countries can support democratization elsewhere. See, e.g.,Thomas Carothers, Critical Mission: Essays on Democracy Promotion 237–50 (2004); McFaul, supra note 30; Wittes, supra note 75.

276 See McFaul, supra note 30, at 15. For example, scholars have not reached general conclusions about the comparative importance of leaders and mass movements or whether gradual economic growth or economic crisis is more likely to lead to democracy. Id.
support democratic change, Western policymakers need to appreciate that the essence of democratization lies in changing the power processes in a society and transforming the distribution of power. In an autocracy, power is tightly concentrated in the hands of a small group of leaders, often including the security forces. Democratization involves dispersing that power, redistributing much of it to opposition politicians, government institutions that check the executive, and ultimately ordinary citizens.\textsuperscript{277} The particular structures, norms, processes, and institutions that can most effectively empower citizens vary by country.\textsuperscript{278} Those of liberal democracy may not be best suited to some Arab states. If they are, Western policymakers will need to avoid the temptation to see democratization as a process of tweaking Arab political systems, element by element in isolation, to make them more closely resemble liberal democratic forms. This formalist understanding of democracy pervades many efforts by Western governmental and non-governmental organizations to promote democracy abroad.\textsuperscript{279}

If Western policymakers lose sight of the essence of democracy and focus too much on changes to specific components of Arab countries’ political systems, they risk being taken in by superficial reforms that create a façade of democracy without significantly redistributing power. Autocrats often are happy to accommodate foreign observers with the trappings of democracy: parliaments, courts, nominally competitive elections, even a few critical media outlets and NGOs. Arab dictators in particular have a history of instituting reforms with much fanfare in response to pressure from international or domestic forces. Like Morocco’s 2011 constitutional amendments, these changes often have much less impact than the dictators claim.\textsuperscript{280} Furthermore, once pressure for change has subsided, the governments often have quietly halted implementation of the reforms or have rolled them back.\textsuperscript{281} Egypt’s ruling military junta, the Supreme Council for the Armed Forces (SCAF), may be employing this strategy, allowing elections, the drafting of a new constitution, and even the seating of a civilian government—but retaining the power to dictate that government’s actions whenever it wishes.

Western countries can play a substantial, constructive role in democratization processes in Arab countries, even though they will not be able to dictate either the outcome or the process itself. To play such a role, they will need

\textsuperscript{277} See supra notes 23–24, and accompanying text (setting out a conception of democratization as dispersion among citizens of influence over collective decisions).

\textsuperscript{278} They may even differ between regions or localities within countries.

\textsuperscript{279} Carothers describes the approach as “institutional modeling.” See CAROTHERS, supra note 125, at 89–90. Democracy is conceived of as a set of elements—such as an independent judiciary, a legislature with functioning oversight committees, empowered local government, vigorous civil society, and independent media. The institutions and processes of a democratizing country can be mapped onto this model, element by element. After identifying divergences between particular details of a model element and the corresponding details of the real element in the democratizing country’s political system, an outsider hoping to assist democratization—whether a European foreign minister or a bureaucrat in the U.S. Agency for International Development—identifies actions he or she can take to help reshape the real element to better fit the model. He or she repeats the analysis for each detail of each element, considering each largely in isolation from the others. Actors employing this institutional modeling method may or may not be conscious of their method.

\textsuperscript{280} See, e.g., OTTAWAY & MUASHER, supra note 9, at 3–8.

\textsuperscript{281} See generally MARINA OTTAWAY & JULIA CHOUCAIR-VIZOSO EDS., BEYOND THE FAÇADE: POLITICAL REFORM IN THE ARAB WORLD (2008) (discussing how conflicting interests across the Middle East require a closer look at whether reforms instituted by governments are cosmetic or substantive).
detailed, sophisticated understanding of local conditions, including the preferences of all important actors, the relationships among them, and the factors most likely to influence political change. Those conditions may change rapidly, so Western analysts will need to observe them and update their assessments continuously. Western officials should build relationships with all politically relevant actors in Arab countries to develop insight and influence.  

In devising policy, Western officials should give particular weight to the views of sophisticated local activists and analysts, because they are likely to understand the dynamics in their own countries better than all but the most knowledgeable outsiders. Engaged Tunisians, for example, generally have decades more experience learning and thinking about their country than do French diplomats, U.S. academics, or German human rights activists. Many of them also draw information and analysis from a larger, more diverse web of people. Furthermore, if Western governments’ actions are to facilitate democratization, they must reinforce and supplement local democrats’ efforts; failing to coordinate could easily lead to Western errors that inhibited democratic progress.  

Western governments possess a wide range of tools that they may be able to use to support democratic change in Arab countries. In some cases, they will help most by simply contributing to an environment in which democratization can continue. For example, dramatic political change often raises expectations among ordinary citizens that the government will quickly address problems important to them, such as high unemployment. Governments in transition have trouble delivering quickly, however, and citizens can lose faith that democracy will benefit them. Economic aid can help democratizing governments deliver at least modest concrete improvements and maintain popular support for democratization. In some cases, it may be valuable for Western governments to try to influence the actions of particular actors, such as a liberalizing government or recalcitrant dictator. They can provide or withhold economic aid and impose or lift sanctions as

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282 The benefits of engagement with Islamists, set forth in Part IV, above, also apply to engagement with other political actors.  

283 For example, Western governments should consult local democrats before deciding whether to take a public position on particular questions, such as whether a new constitution should shield the military from civilian control. In a dispute between democratic activists and military leaders over this, Western governments might be able to help the democrats by publicly opposing the provision, perhaps contributing to a public image of the military as isolated on the issue. Alternatively, however, Western opposition might be counterproductive, if the public saw such statements as illegitimate foreign intervention.  

284 They should not attempt to initiate democratization by taking military action. The disaster of the U.S.-led invasion and occupation of Iraq, which has ended with Iraq governed by a brutal regime with strong authoritarian tendencies, shows how difficult it is to build a democracy when a foreign power initiates the transition by large-scale military intervention. See HUMAN RIGHTS WATCH, AT A CROSSROADS: HUMAN RIGHTS IN IRAQ EIGHT YEARS AFTER THE US-LED INVASION 50–61 (2011); Serana Chaudhry, Iraq’s PM Maliki: Democrat or Autocrat?, REUTERS, Jan. 9, 2012, available at http://www.reuters.com/article/2012/01/09/us-iraq-politics-maliki-idUSTRE8081CJ20120109.  


286 For example, in May 2011 U.K. Prime Minister David Cameron committed £110 million to assist democratizing Arab states, including Tunisia and Egypt, stating that democratic change “will mean less extremism, it will mean more peace and prosperity . . . .” Andrew Porter, Arab Spring Will Add to Extremism If We Do Not Help, Says Cameron, TELEGRAPH (London), May 27, 2011, at 16.
incentives for the actor to take or refrain from particular actions. 287 Western governments also can provide financial or technical assistance to facilitate particular developments, for example, by underwriting watchdog NGOs or training new political parties in organizing and running campaigns.

In many cases, Western countries’ most valuable contribution to democratization may involve pressing Arab governments to respond to popular demands for democratization or to refrain from repression. The United States’ recent actions in Egypt provide a good example of the sources of influence Western countries may possess, how they can to combine them, and how carefully they must tread. Egypt’s ruling SCAF seems at best ambivalent about democratization. Since taking power in February 2011, its officials and security forces have been intimidating journalists, killing protestors, systematically assaulting women activists, prosecuting civilians in military courts run by non-independent judges, and trying to entrench military privileges and autonomy. Many observers believe that the SCAF’s ultimate goal is to erect a political system that protects it from civilian oversight and control. 288 The United States government’s $1.3 billion in annual military aid provides the bulk of the Egyptian military’s budget for procuring fighter planes, missiles, and other weapons systems. Decades of cooperation between the two countries’ armed forces have built strong relationships between their respective military institutions and among individual senior officers.

The United States should use the leverage that its aid provides, along with the insight into the Egyptian military and individual officers that it has gained through relationships with them, to facilitate democratic change in Egypt. It should try to persuade members of the SCAF and lower-level officers that repression hurts their individual interests and those of the military as a whole, and that democratization can benefit them. Analysts in the National Security Council, Department of Defense, State Department, and Central Intelligence Agency should identify differences in views or interests within the SCAF and the larger officer corps, and develop targeted messages, supported by persuasive analysis, that exploit these differences. Senior U.S. government officials, including the Vice President, National Security Adviser, Secretary of State, Secretary of Defense, and Chairman of the Joint Chiefs of Staff, should convey these messages in regular conversations with SCAF chairman Field Marshall Mohamed Hussein Tantawi and other SCAF members. The Department of Defense should identify U.S. officers who have strong relationships with counterparts in the Egyptian military. The President, though the Secretary of Defense, should specifically order these officers to establish regular contact with those counterparts and use their relationships to advocate against repression and in favor of democratization. A very senior civilian official in the Department of Defense should be tasked with overseeing the U.S. officers’ advocacy to make sure they prioritize it, week in and week out. The officers’ conversations should be informed by the analysis and messages generated by experts from across the government. In turn, those conversations will yield new

287 For example, the United States restored full diplomatic relations with Burma’s government after the latter released prominent political prisoners. See US to Exchange Ambassadors with Burma, BBC NEWS (Jan. 13, 2012), http://www.bbc.co.uk/news/world-asia-16554415.
insights about the Egyptian military’s internal dynamics, which should be fed back into the multi-agency policy analysis and development process.

Convincing the Egyptian military that repression will ultimately damage its interests and that democratization will serve them will be difficult, so U.S. policymakers and diplomats will need to operate shrewdly. They need to appreciate, for example, that slashing or cutting off U.S. military aid could backfire. In early 2012, threats from the Administration and members of Congress to take such action in response to Egypt’s prosecution of employees of U.S. democracy promotion organizations provoked a nationalist backlash even among democratically elected Egyptian politicians. They saw the threats as efforts to interfere with Egypt’s judiciary, in violation of the country’s sovereignty. Ultimately, however, the threats may have succeeded, but only in part: The U.S. employees were allowed to return to the United States, but their Egyptian colleagues are still being prosecuted.

The episode suggests how the Administration can exploit the democratic checks and balances within the U.S. government to increase its leverage over the SCAF, even though important details are not public. Congress had been playing bad cop to the SCAF, conditioning the full military aid package on certification by the Secretary of State that the “the Government of Egypt [i.e., the SCAF] is supporting the transition to civilian government including holding free and fair elections; implementing policies to protect freedom of expression, association, and religion, and due process of law.” Executive Branch officials may have played good cop, communicating to Egyptian military officers that they were trying to protect them from Congress— but that they could only succeed if the Egyptians cooperated, by releasing the U.S. NGO workers and facilitating democratic progress more broadly. Specifically, U.S. officials may have promised that the Secretary of State would release the $1.3 billion in aid, but warned that the SCAF’s repression and resistance to democratization, including the prolonged standoff over the NGO prosecution, could put the aid at risk in future years. As it turned out, Secretary of State Clinton determined that she could not make the required certification and resorted to a provision of the law that allowed her to waive the certification requirement, citing U.S. national security interests. The resolution was foreseeable, and before it occurred U.S. officials could have argued to Egyptian officers that a resort to the national security waiver could spur calls in Congress to cut the level of military aid for the following year.

The United States and other Western countries should seek opportunities such as this to facilitate democratic change across the Arab world, responding to local conditions. The availability of these opportunities will vary greatly among countries. Substantial progress is most likely in Egypt and Tunisia, although the SCAF’s resistance could halt it in the former. Libya’s first challenges are to disarm


292 See id.
the fractious militias that overthrew Colonel Qaddafi, begin to heal cleavages within Libyan society that arose under him, and construct a functioning state. Outsiders may be able to help by providing technical assistance, although the political sensitivity of these processes may lead Libyans to seek aid from multilateral institutions such as the United Nations and World Bank rather than individual Western (or non-Western) countries. 293 The monarchs leading Bahrain, Jordan, and Morocco faced popular calls for reform during 2011, and each has responded with modest measures. Western countries should actively encourage those leaders to transfer more power to their elected legislatures, disclaim the right to control government institutions, and take other actions that move their countries toward democracy. Substantial change seems unlikely in the near future in other Gulf States, such as Saudi Arabia, Kuwait, and Qatar, but Western countries should look for opportunities to encourage changes that would reduce the concentration of power in the hands of those countries’ monarchs.

Ordinary Arab citizens inspired the world in 2011 as they cast aside their fear of brutal security forces, proclaimed their right to rule themselves, and expelled dictators who had usurped that right for decades. In Washington, London, Paris, and other Western capitals, these events produced anxiety as officials wondered how the fall of long-standing partners such as Mubarak and Ben Ali and the challenges to other familiar dictators would affect Western interests. This Article has shown that self-interest, as well as idealism, should cause Western policymakers to share the excitement that millions of Arab citizens have felt at the prospect of a democratic transformation, and has argued that they should support Arabs’ own efforts to turn that vision into reality. For Western countries, the right side of history is also the most beneficial.

293 In Syria, efforts to build democracy must wait until peace is established. Western governments appropriately are focused on stopping the Assad regime’s assault on its people and preventing the outbreak of full-scale civil war.