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More than «Shiites» and «Sunnis»

How a Post-Sectarian Strategy Can Change the Logic and Facilitate Sustainable Political Reform in Iraq

**A Report by Iraqi Academics and Professionals, Prepared in Cooperation
with the Norwegian Institute of International Affairs (NUPI)**

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Contents

- 5 **Executive Summary**
- 7 **Preface**
- 9 **Introduction: A Need for Political Reform**
- 13 **The Problem of Leverage and the Question of Iranian Influence**
- 17 **Why a Post-Sectarian Strategy Can Succeed**
- 23 **What a Post-Sectarian Strategy Would Entail**
- 25 **How to Do It: Practical Measures for a Post-Sectarian Strategy**

Executive Summary

This policy report presents the consensus view of a group of distinguished Iraqi academics and professionals brought together with the support of the Norwegian Institute of International Affairs. It is based on the proceedings of several meetings held at various locations in Europe and the Middle East during 2008, including a three-day workshop in Jordan in October. Iraqis from all parts of the country were present, Islamists as well as secularists, from a wide range of professional backgrounds – including political science, the oil sector, and the military. The group included people living inside Iraq as well as exiles, and brought together people who are part of today’s political process as well as individuals who have remained outside it. This document concentrates on the specific policy proposals that emerged during the process. It constitutes a rare example of a plan of action for Iraq and the international community that can appeal to all Iraqis, regardless of ethnic or sectarian background.

The report sets out by questioning the success of the US “surge” in Iraq when it comes to providing long-term stability. It highlights the absence of real political reform as well as the persistence of Iranian influence over the new Iraqi political system as factors that may lead to major regional instability – either if US forces withdraw without facilitating a process of genuine national reconciliation, or if an attempt is made to overstay the withdrawal framework of the SOFA. Today, unless the international community alters its approach, a protracted conflict between an Iran-supported Iraqi government and various insurgency groups (including some with

inspiration from al-Qaeda) seems like the most probable five-year scenario for Iraq. As a consequence, the geopolitical point of gravity in the region can be expected to shift towards Tehran, with an accompanying escalation of regional tensions as well as likely disruptions to world energy supply.

The report does two things to deal with this problem: It identifies ways in which the United States and the international community can regain leverage in the Iraq crisis, and it highlights reform measures that can help bring reconciliation in Iraq by focusing on the general population rather than on political opportunists – thereby also making the country more stable in the long term and less susceptible to Iranian influences. By aligning itself with the strong but often underestimated national aspirations of the Iraqi people (instead of the sectarian interests pursued by some Iraqi politicians), the United States would be able to responsibly withdraw its military forces within sixteen months while at the same time supporting a post-sectarian program of political reform. This approach would be less vulnerable to potential criticisms of interference in internal Iraqi affairs, and would also enjoy the legitimacy of a true international coalition effort. The project singles out the 2009 parliamentary elections as a key milestone in the suggested process. It outlines several specific preparatory steps through which the international community could optimize the climate of those elections so as better to reflect the Iraqi popular will and thereby produce a more stable political system. Policy proposals cover such areas as refugee repatriation, debt relief, economic aid, engagement with Europe and the Arab League, electoral assistance, Kurdistan issues, reaching out to the armed resistance, US policy towards Iran, and the role of the UN and UNAMI.

Preface

The Iraqi contributors to this project are all leading intellectuals who are concerned about the current direction of events in Iraq. They include people living inside Iraq and outside Iraq, secularists and Islamists, with backgrounds in a variety of professional fields, including political science, Islamic law, the oil sector and the security forces – some whose careers in Iraq date from before 2003, others having held leading positions in the years after. They represent a cross-section of Iraq’s population, with participants from every corner of the country. However, most of all, they represent Iraq – a nation whose long-term survival is often forgotten in policy discussions that tend to focus on “security” in a more immediate sense.

The following participants contributed prepared papers to the conference in Jordan:

Hassan al-Bazzaz, professor of crisis management
Dhiaa al-Bakkaa, former director-general of SOMO
Nadim al-Jabiri, prof. of political science, member of parliament
Raad al-Hamdani, former general of the Republican Guard
Hunayn al-Qaddo, member of parliament
Muhammad Ayyash al-Kubaysi, Islamic scholar
Hassaan al-Ani, professor of political science, Univ. of Baghdad
Issam al-Chalabi, former oil minister
Humam al-Shamma, professor of economy
Abd al-Jabbar Ahmad, ass. prof. of pol. science, Univ. of Baghdad
Muhammad al-Jibburi, former minister of trade
Mahmud Ali al-Dawood, former Iraqi ambassador
Walid al-Rawi, former official in the ministry of defense

The conference papers have been published separately in Arabic (*Al-khiyarat al-amirikyya al-muqbila fi al-'iraq/Future American Alternatives in Iraq*), with a translation available in English.

Participants in NUPI's working group which facilitated the project:

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Introduction: A Need for Political Reform

- “The surge” has created greater security but no political reform
- Reform is needed because opposition to the 2005 constitution and the system it created is widespread across Iraq – among Sunnis and Shiites alike, and with a majority of Iraqi parliamentarians now interested in changing the system
- So far, US attempts to create national reconciliation have focused on the wrong goals, thereby failing to tap into the potential for broad political consensus that exists in Iraq

It can be easy to forget that Iraq is in crisis. On certain indicators relating to overall security, the improvements since 2007 have been spectacular. US and Iraqi forces are taking fewer casualties, large-scale political violence is certainly down, and the process of returning people displaced during the civil unrest in 2006 has begun, if only tentatively. There is talk of increased foreign investment, and some Arab states have signaled willingness to resume full diplomatic relations.

However, it would be misleading to conclude that these advances in the security sector mean that Iraq is on the right track. The key to seeing the full picture is to include the question of *political reform* in the analysis. Here, there has been little, if any, progress in terms of substantial institutional change towards a model of government that appeals to all Iraqis. Once that point is recognized, the image of a relative successful “surge” soon gives way to the altogether

more pessimistic scenario of a house of cards. The recent security gains in Iraq have been secured by *ad hoc* solutions that all came with expiry dates attached – as is equally the case with regard to the infusion of extra US troops, the payments to ex-insurgents in Anbar province, and the extensive wall-building seen in Baghdad. At the same time, on the political track, progress has been minimal. Crucial pieces of legislation have been delayed, and those bills that have been passed – such as the law on the powers of the provinces and the provincial elections bill – came into existence in such a tortuous fashion as to leave clouds over the very parliamentary process itself. The change towards a more positive climate in Iraq was due not least to the Iraqis themselves and the various “awakening” and “support” movements across the country; these groups expect political reform in return, but have as yet not seen any significant institutional change. Similarly, while the local elections in January 2009 did feature certain positive tendencies in terms of a less sectarian political discourse, many Iraqi parliamentarians in practice continue to work according to the sectarian logic that they so roundly condemned during the campaign leading up to the elections.

Why is political reform so important? Did not the Iraqi people themselves approve their new political system in the constitutional referendum in October 2005? And is this not simply a question of dealing with Iraq’s “Sunni minority”, who will have to adjust themselves to the new realities after 2003? The problem is that the 80% Yes vote on the constitution, while seemingly a convincing indicator of popular support, actually came about in a rushed process totally lacking in all the fundamentals of transparency, patient consensus-building and free and open debate that should be integral to a momentous decision of this kind. In the first place, few Iraqis had had the possibility to familiarize themselves with the complicated document they voted on, not least because the final draft was made publicly available only days prior to the vote. Secondly, a key factor in generating participation in the referendum was the last-minute insertion of a clause that promised a comprehensive one-off revision of the constitution itself at a future date, to deal with contentious issue – a promise that has yet to be fulfilled. Importantly, this clause was as significant to Shiites as to Sunnis: Even the Grand Ayatollah Ali al-Sistani stressed the weaknesses of the current charter when he reluctantly encouraged his followers to vote Yes. Hence, the narrative that 80% of the Iraqi population – i.e. the “Shiites and the Kurds” – wholeheartedly support the system is unconvincing.

Today, even some of the main forces that have decided to work

within the post-2003 system are beginning to protest against it, no doubt reflecting popular pressures from below. After having spearheaded the demands for early provincial elections, a cross-sectarian alliance of secular and Islamist parties has challenged the establishment: first by demanding early local elections, later in the Kirkuk question, to the point where a Kurdish MP asserted that these parliamentarians were against the 2005 constitution. But these so-called “anti-constitutional” parliamentary forces – also referred to as the “22 July bloc” – managed to acquire a parliamentary majority on the Kirkuk issue. Accordingly, today we have a situation where a cross-sectarian majority of Iraqi parliamentarians wants to change certain aspects of the system adopted in 2005. But progress in this direction is blocked, because the system is protected by the stalemate on the constitutional revision committee – whose membership was elected on an ethno-sectarian quota basis back in 2005, and whose real interests appear to lie in the protection of party and personal interests. The outside world has generally ignored this highly significant change inside Iraqi parliamentary politics from 2006 to 2008, and has failed to offer any support that could help those forces that want to change the system.

The United States, in particular, has not responded to these changes, but rather has continued to seek to influence Iraqi politics through the now outdated paradigm of politics that was established between 2003 and 2005. Since April 2003, one of the basics of US policy in Iraq has been the assumption that the key to progress consisted of some kind of formula or compact that would create the right balance between the “main ethno-sectarian groups” of the country. This approach was reflected in many early decisions in which the United States exerted a high degree of influence – such as the selection of the governing council in 2003, the appointments to the interim government later that year, and the design of the two processes that created the constitutional framework of post-2003 Iraq through the Transitional Administrative Law (2004) and the new constitution (2005). Subsequently, the same paradigm was used in an attempt to rectify what were admitted to be problems in the 2005 constitution, “problems” that accordingly were cast in a sectarian perspective: There had to be a revenue-sharing law that would secure a “Sunni” share of the oil (to prevent the Shiites and Kurds from monopolizing “their” oil); attempts were made to induce the Sunnis to “think in terms of federalism”; and revision of the constitution more generally was portrayed as an attempt to restore a minimum of “Sunni inclusion”.

The main difficulty with this kind of paradigm based on ethno-sectarian units is that the Iraqis themselves have rejected it, in poll after poll. After five years of occupation, Iraqis south of Kurdistan routinely highlight their Iraqiness at the expense of narrower identity frameworks based on sect or ethnicity. They dismiss as retrograde the system of ethno-sectarian quotas that was introduced by Paul Bremer in 2003, and remain critical to any extension of the principle of federalism south of Kurdistan. That is not to say that all Iraqis are in perfect agreement about all the details of an ideal system of government for their country. But they mostly do agree on certain basic principles that are directly undermined by the current system and the 2005 constitution with its emphasis on ethno-sectarian quotas and federalism. As long as this basic system of government has no resonance among the general population, the security gains in Iraq will be of an ephemeral nature and the country will remain vulnerable to the machinations of regional powers.

The Problem of Leverage and the Question of Iranian Influence

- The absence of a political reform component in the SOFA limits the leverage of the United States in Iraq
- The leverage problem is exacerbated because Iran will always be there as an alternative for members of the Shiite Islamist parties that went into exile in the 1980s
- Iran will seek to maximize its influence in Iraq by limiting political reform and stressing ethno-religious identity in the country's political system
- A US withdrawal without profound political reform in Iraq will make Iran the winner of the war that former president George W. Bush started

To some extent, US politicians realize the predicament inherent in an unreformed political system: It is why a vision of political reform in Iraq was an element of President Barack Obama's election campaign message on Iraq, and is also why Vice-President Joe Biden recently highlighted the need for reconciliation in Iraq. The problem concerns leverage. Most of the Bush administration's undertakings vis-à-vis the Iraqi government were done without any form of conditionality attached, and were instead based on the hope that political reform would follow as a result of a positive change in the security environment. This was the case also with the Status of Forces Agreement with the United States, which is

a military agreement that by its very nature will tend to sideline political issues and further reduce the number of potential avenues for exercising leverage.

Even where US leverage is thought to exist, it remains highly problematic. The Status of Forces Agreement (SOFA) with the United States is an asset to whoever sits at the helm of the Iraqi government: it can be spun as an achievement in terms of securing the withdrawal of foreign troops while at the same time allowing for a conservative and slow-moving attitude to political reform, where largely theatrical acts have dominated over real institutional change thus far. There have been certain signs that Nuri al-Maliki is responding to popular demands for a more balanced political system with checks on the centrifugal forces of the 2005 constitution (including his centralist rhetoric during the campaign leading up to the January 2009 local elections), but these positive developments have yet to be converted into institutional reform – without which they can hardly be counted as meaningful change.

The frequently-held contention that the Iraqi government in reality has an interest in a prolonged US presence because that could help it consolidate its rule (and that Washington, in turn, has leverage over it as far as political reform is concerned) overlooks two important facts. Firstly, it ignores the growing self-confidence of Iraqi leaders. Having been credited with a number of “successes” in the security operations performed during 2008 – notably in Basra and Baghdad – future Iraqi leaders may be tempted to rely increasingly on authoritarian means to compensate, should their boldness prove not to be commensurate with their real level of popular support. Secondly, in the assumption of a constant desire by Iraqi leaders for American support there is no consideration of the possible scenario that a new strongman ruler of Iraq might be more inclined to work pragmatically (and, if need be, covertly) with Iran in a nominally “independent” Iraq as an alternative to presiding over a prolonged US occupation – not an altogether unrealistic outcome, given the relatively close historical ties between many of the Shiite Islamist movements and Iran. In Iraqi history, “residual military forces” and “foreign advisers” are just as problematic as a full occupation. Regardless of what aides may say when they travel abroad, Iraqi leaders are well aware of the risk of being labeled “American puppets” (which in the long run would amount to political suicide) and will continue to prefer an Iraqi nationalist facade – where the SOFA is a triumph for the insistence on “full withdrawal”, and also represents the regaining of “full Iraqi sovereignty”.

This is how the more fundamental issue of Iran's influence in Iraq lurks behind the question of political reform. The prospect of indirect Iranian support (which, due to the basic geopolitical realities of the region, promises to be more enduring than anything the United States can offer) creates a degree of leeway for the Iraqi government that is lacking in many Western policy discussions, whether on the subject of the effect of an immediate US withdrawal or the prospects for a prolonged mission. And on this score it is unclear whether the gravity of the situation truly receives the attention it deserves in current US debate on Iraq policy. When it comes to constitutional reform in Iraq, Iran and many leading Shiite Islamists have been saying conspicuously similar things, with both agreeing on the need to guard against any radical challenges to the 2005 constitution (especially changes in the direction of concessions to what the two term "neo-Baathists" – code for Sunnis, nationalistically inclined Shiites, and secularists of any background).

As long as Iran has an anomalous relationship with the United States with unresolved diplomatic issues, it may be in its best interest to have a political system in Iraq that is not inclusive and does not enjoy universal legitimacy – not least because Iraq's rulers will then need to look for external support, and because many Iranians (including influential think-tanks such as the Tehran-based Center for Strategic Research) assume that a system where sectarian identity is pushed to a maximum gives them the greatest possible influence in Iraq through the Shiite Islamist parties. An Iranian-backed Iraqi leader, in turn, would also realize that, in a different political system with greater popular appeal, he himself would probably no longer be able to stay in power. In sum, then, a supplicant Iraq internally divided along ethno-sectarian lines – a scenario sometimes floated in US policy-making circles as a viable option – is in fact an outcome that would fit Iran perfectly.

Accordingly, if Tehran can achieve a US drawdown in Iraq without concomitant political reform towards greater inclusiveness, Iran will be the main victor in the Iraq conflict. However, this will not have been a result that has developed naturally from the Iraqi social fabric: Numerous polls show that the majority of Iraqi Shiites are not interested in becoming servants of Tehran. This kind of scenario would be the unintended by-product of the US invasion of Iraq and its artificial promotion of a small but opportunistic section of the Shiite community prepared to work with Iran. It also highlights how in a situation with unclear regional loyalties among many potential Iraqi leaders, there is great risk in using the performance of the Iraqi

security forces as an indicator of success, instead of focusing on political and institutional reform.

Iraq's constitution of 2005 created a system that was beneficial to a minority of Iraqi politicians who prefer to speak in the name of sectarianism, defining themselves as "Sunni leaders" and "Shiite leaders". The system is immensely useful to this small segment of Iraq's population, because the principle of ethno-religious quotas bestows ample privileges on them personally. Accordingly, these elites will fight tooth and nail against reform, and are likely to view pragmatic coordination with Iran as a long-term option that can perpetuate their dominance. On the other hand, the Iraqi population at large does not see the current system as legitimate. But, given the uninterrupted and unquestioning support for the current Iraqi government by the international community, pressures towards reform are unlikely to filter into the political process in a natural and truly democratic fashion. Instead, low-level conflict between various discontents and the state could persist for the duration of the US occupation, and would likely intensify once US troop levels come down. In the event of a full US withdrawal, the Iraqi government might try to deal with this problem by relying on Iranian support, but the re-emergence of the kind of propaganda that gave al-Qaeda a foothold in the region (and an accompanying surge in political violence, including attempts to ignite sectarian tensions) would seem a more realistic scenario.

Why a Post-Sectarian Strategy Can Succeed

- Contrary to the cliché image of perennial ethno-sectarian conflict, the vision of a non-sectarian, peaceful Iraq has strong historical roots in the monarchy period and the late Ottoman era
- Iraqis support coexistence but do not want explicit ethno-religious quotas enshrined in their political system
- Policy recommendations aimed at “Sunni interests” and “Shiite interests” will satisfy only a small group of opportunistic politicians
- Greater debate about constitutional issues will enhance, not reduce, unity in Iraq, and will show that there is no need for regional players to have a special position in Iraq
- A system of government in greater harmony with the country’s coexistence tradition is vital to long-term stability in the region, and would serve Iraqi and US interests at the same time

The key to stability in Iraq is to recognize the longevity and endurance of non-sectarian Iraqi patriotism as a fundamental value among most Iraqis. Despite the clichés that prevail in Western mainstream media, historical studies clearly demonstrate that Iraqi national sentiment is more than Baathism, and that over time, it has proven to be a far stronger force than sectarianism. It should suffice to mention the monarchy period, when Iraq for many years had a functioning parliamentary democracy, as well as most of the nineteenth and eighteenth centuries, when Basra, Baghdad and Mosul were often

ruled as a single charge from Baghdad (and were habitually referred to as “Iraq” by contemporary writers). The claim that Iraq is an “artificial” creation concocted by the British after World War I overlooks the fact that the separation between the three Ottoman provinces that was in place in 1914 dated back only thirty years, to 1884.

History is not an eternal force that can determine the future – but it is a factor that can be useful to keep in mind for those who want to build sustainable institutions that resonate with the local population. This is also where the history of Iraq differs so strikingly from that of other multi-ethnic countries which have experienced secessionist movements and even full partition (as in the Balkans). For in an age when it is fashionable to dismiss national sentiments as constructed, malleable forces, the case of Iraq actually demonstrates remarkable attachment to a common political framework by a population that includes members of many different sects and ethnicities. Above all, this is evident when it comes to the persistence of “Iraq” as the preferred territorial frame of reference for more than 80% of the country’s population. Even as some Iraqi politicians exploited sectarian categories to create widespread and violent tension between Shiites and Sunnis in 2006 and 2007, the population at large continued to show no interest in the imagined “Shiistan” and “Sunnistan” recommended by Western experts. When the pro-Iranian Islamic Supreme Council of Iraq (ISCI) from 2005 onwards tried to cultivate the idea of a sectarian Shiite federal region, they were met with rejection even in their own constituency. In fact, the ISCI leadership has already changed the name of the projected federal region at least once, thereby underlining the opportunistic and artificial character of the scheme and its lack of popular resonance. Recent polls such as one published by Iraqi Center for Research and Strategic Studies in October 2008 show that the people of Iraq continue to consider themselves as “Iraqis” first and foremost, with a remarkable 69.8% seeing “Iraqi” as their primary marker of identity and with only 10.2% preferring ethnic labels (“Kurdish”, “Turkmen” etc.) and a mere 6.2% referring to religious communities such as “Sunni” and “Shiite”.

History also cannot immunize against sectarianism, but it can help put sectarianism in perspective. The frequent notion that “Shiites and Sunnis have been at each others’ throats for centuries” is simply not empirically tenable. During the long centuries before the excesses of the Baath Party reached a peak in 1991, large-scale sectarian tension in Iraq was limited to three episodes – in 1508,

1623 and 1801, all of which were caused by invasions by outsiders (twice the Persian Safavids; once Wahhabi raiders from Arabia). In all of these cases, many Iraqis closed ranks against the outsiders to defend compatriots belonging to the opposite sect. Thus, against the backdrop of centuries of history, the “Samarra paradigm” of intense conflict seen in Iraq between 2006 and 2007 becomes the exception rather than the rule, and should not be used to guide the crafting of viable political institutions. Similarly, the Balkans parallel is of limited usefulness: the majority of Iraqi Shiites would never accept Iran as a “regional negotiator” on their behalf, on the pattern of the relationship between Serbia and the Bosnian Serbs in the 1990s.

Iraqi political discourse reveals the fundamental contradiction between “Iraqi goals” and goals that were imposed on Iraq since 2003 – mostly by opportunists who returned to the country after 2003 following long periods in exile where they had had little contact with Iraq but had learned how to attract the attention of Western policy-makers. American officials often hail the new Iraqi political system for its “multi-ethnic” nature. From the Iraqi point of view, however, this issue looks very different. “Multi-ethnic” politics is desired as so far as it means full participation in politics by all Iraqis regardless of ethno-sectarian background. But positive discrimination is viewed as undesirable to a far greater extent than is the case in many Western countries, and the pursuit of sectarian agendas is often considered as a desperate emergency strategy pursued by political leaders who lack solid support among the people. The very notion of ethno-sectarian quotas – *muhāsasa* – has already become a term of abuse among most Iraqis, and Iraqis of all sects lament the fact that their politics is looking increasingly like that of Lebanon, with its formal sectarianism. Aversion to this sort of enshrinement (*takris*) of sectarian divisions is widespread in Iraqi society, and encompasses Sunnis and Shiites alike. On March 19, 2004, in a letter to Lakhdar Brahimi, the UN special representative in Iraq, the Grand Ayatollah Ali al-Sistani explicitly warned against the Transitional Administrative Law because the institution of a three-man presidency (one Sunni, one Shiite, one Kurd) would “enshrine sectarian divisions in Iraqi society ... and could lead to partition, God forbid”.

The discrepancies between Iraq policy debates in the United States and in Iraq itself highlight important areas of policy where the potential for Iraqi consensus is greater than what US policy-makers appear to realize. These discrepancies also clearly show that Iraqi patriotism is a sentiment that reaches much wider than the electorate associated with traditional secularist parties, such as

the political movement of former prime minister Ayad Allawi. One such key area concerns state structure. Sunnis are often portrayed as “anti-federal” in Western media (and their hesitance to show any enthusiasm for the idea of a “Sunni region” is perceived as recalcitrant) – but equally important is the resistance to federalism articulated in various forms by Shiite and secular movements, including the Sadrists and Wifaq, as well as by the Fadila to a certain extent (most leading party figures have been skeptics in the federalism question and are particularly critical of sectarian variants of federalism, which they portray as a recipe for giving Iran the maximum of influence). Today even those pro-Kurdish Shiites that dominate the constitutional revision committee have voiced a preference for a return to a more centralized system in several spheres of government. The popular response in January 2009 to Nuri al-Maliki’s local election campaign in the name of centralism as well as the failure of the initiative in Basra to create a federal region (December 2008–January 2009) also seem to validate this interpretation – but, once more, would require anchoring in constitutional reform in order to provide enduring stability.

Similar problems relate to legislation on oil and energy. Here, too, the international discourse on the subject often distorts the image of what is going on in Baghdad. The real fault-line in the negotiations about oil has not concerned the question of revenue distribution – after all, with perhaps 60% of Iraq’s oil resources located in a single governorate (Basra) it should be unsurprising that most Iraqis, regardless of sect, prefer a distribution formula based on strict demographic criteria, with no notions of ethno-sectarian quotas or special treatment of certain areas. The notion of a “Sunni share” of the oil is an international invention, not an Iraqi demand. Rather, the controversy in the Iraqi internal debate about oil has hinged on the subject of signing contracts. Here the elites of the two biggest Kurdish parties have proven to be the most obstinate element in their refusal to let Baghdad have the supervisory role that many consider necessary if a comprehensive energy policy that is fair to Iraq as a whole is to be worked out.

What these examples show is that when it comes to political structure in Iraq since 2003, the United States has fallen victim to demands by certain political elites who speak a language of ethno-sectarian quotas that is alien to most Iraqis, and who call for “decentralization” in an opportunistic fashion. But without popular resonance, institutions of government cannot not be durable. In the long term, this could mean a shift to authoritarianism by Iraq’s

rulers, or increased reliance on external support. Conversely – and contrary to a belief common among many Western analysts – open and frank discussion about constitutional issues in Iraq is actually more likely to generate broad coalitions that involve Iraqis of different sects and ethnicities. The key to enduring coalitions is to challenge those sectarian politicians who speak in the name of Iraqi unity but who in practice, when it comes to constitutional issues, pursue particularistic agendas that serve only their own personal and party interests. There is no need for Iranian or other regional roles in Iraq because the Iraqis are perfectly capable of governing themselves without outside interference. The counter-strategy we call for in this document is a “post-sectarian” counter-strategy that can help Iraq find back to itself. It is different from what the United States has done in Iraq so far in that it does not require more micro-managing on the part of Washington; rather, it needs a few pushes in the right direction so that the Iraqis once more can take full charge of their own affairs.

What a Post-Sectarian Strategy Would Entail

It is not the ambition of this group to rewrite the Iraqi constitution: That would be antithetical to the spirit of the project, which is primarily process-oriented. Our basic goal is the democratic empowerment of important currents that have been out-maneuvered by the turn of events in Iraq since 2003 and the massive push towards sectarianism that resulted from the high degree of external interference. But in order to get an impression of how key policy issues would look from an Iraq-focused point of view, it can be useful to list some of the most central aims of those Iraqis who are working in a post-sectarian direction:

- In terms of state structure: Stricter limits on federalism. Any drawing of federal regions south of Kurdistan on the basis of ethnic or sectarian fault-lines should be outlawed, and there should be a tightening-up of the current rules on forming federal regions and the potential for chronic instability inherent in the lax requirements for launching a federal initiative. Kurdistan should be treated as an exceptional case with regard to decentralization.
- A general strengthening of the central government compared to the 2005 constitution (where even taxation is exempted from central control).
- The oil ministry, in particular, should regain its dominant role as the main player in Iraq's oil and gas sector, and should be the single point of contact for foreign companies and the decision-

maker with regard to Iraq's national oil policy. This would create a strong and predictable player capable of guaranteeing security of energy supply.

- The distribution of oil revenues should be on a strictly per capita demographic basis, without regard to region, sect or ethnicity.
- Regionalist claims should be addressed not through changes in the state structure but could instead be handled through decentralization and "soft" federalism. For example, parts of the bureaucracy could be physically relocated to relevant decentralized locations – like Basra for oil (for example, the national oil company, as per the Norwegian pattern), and Najaf and Kurdistan for tourism. At the same time, the centralized state structure could be maintained, with the ministries in Baghdad.
- The principle of ethno-sectarian quota sharing in government should be prohibited. Professionalism and merit should be stressed as the sole legitimate criteria for advancement in the state bureaucracy. The number of sinecures and the amount of corruption would decline in tandem with this kind of change, and greater effectiveness in decision-making would result as qualified technocrats began to assume leading roles. The infighting currently seen between several service ministries, mostly a result of party and personal conflicts, would disappear.
- The Iraqi character of Kirkuk should be highlighted, and the need for a negotiated Iraqi solution rather than a hasty referendum should be stressed.
- The current politicization of the security forces (with vast empires loyal to different ministries) should come to an end, to be replaced with centralized control by the interior ministry. Professional leadership of the Iraqi armed forces and the defense ministry based on a standardized system of recruitment and education should be emphasized.

How to Do It: Practical Measures for a Post-Sectarian Strategy

This project singles out the 2009 parliamentary elections in Iraq as the most promising vehicle for change in the country. The basic suggestion is to create a permissive environment where focus on constitutional issues will be at a maximum and where maximum participation is also encouraged and enabled. Whether the next assembly should revise the 2005 constitution or rewrite it is for the next assembly to decide. The point here is simply to provide a chance to all those important forces in Iraqi politics that have become sidelined and marginalized due to the exceptional circumstances since 2003. This will in itself facilitate an organic political process where the end result is far more likely to be in harmony with popular feeling than the current constitution, and therefore more conducive to stability and the maintenance of Iraqi independence in a troubled neighborhood for decades to come.

In this way, by focusing on the framework for the elections in the broadest possible sense, instead of attempting to micro-manage the situation via deals with selected partners, the United States would finally be able to liberate itself from the policies of patronage that has vexed its efforts in Iraq since 2003. By making the 2009 elections into a debate about the Iraqi constitution, the international community would be able to help unlock the current stalemate in the Iraqi political process and thereby generate stability for the long term. Only this kind of “political surge” would truly do justice to the admirable idea expressed by President Barack Obama of “leaving Iraq to its people”.

To achieve optimal conditions for the 2009 elections and the further process towards real national reconciliation, we offer eighteen recommendations to the new US administration and the international community. The basic principle is to change today's logic, in which the US encourages the international community to support the Iraqi government in a variety of ways, but mostly according to what amounts to *carte-blanche* rules. Our proposal is to turn this logic on its head: We suggest that the international community demand steps by the Iraqi government that are conducive to national reconciliation, in return for financial and other material support. Additionally, we recommend a range of practical measures that can maximize participation by Iraqis in the next elections and minimize the incentives for other regional players to sabotage progress towards a more sustainable political system in Iraq.

Overarching Principles

1. Clarify US aims in Iraq. It would be helpful to the political process in Iraq if the United States could provide an unequivocal statement about its sincere commitment to preserving Iraqi unity. A successful statement of this kind would make it clear that Washington
 - a) acknowledges US interest in Iraqi oil and gas but at the same time accepts the fact that the national Iraqi oil company will be the dominant player in the energy sector and that the Iraqi oil ministry will have full sovereignty over the country's resources;
 - b) does not support any kind of "soft partition" in Iraq unless there is an unequivocal and explicit request for it from a large majority of Iraqis, and understands that any idea of a tripartite federation will automatically obfuscate the debate about state structure in Iraq, turning it into a discussion about partition;
 - c) will never acquiesce in any Iranian, Saudi, Kuwaiti, Syrian, Jordanian or Turkish political role in Iraq beyond what is normal for a neighboring state;
 - d) acknowledges that the exaggerated focus on ethno-sectarian quotas in US policy in Iraq since the Paul Bremer regime in 2003 was a mistake that has contributed to the problems in Iraq since then;
 - e) is not seeking bases in Iraq of any kind, whether temporary or long-term,

- f) will not seek to stay on in Iraq in the case of a breakdown of the political process, but instead will make preparations for a new UN mandate.

Leverage for Free and Fair Parliamentary Elections in 2009

2. Make the 2009 parliamentary elections the center-piece of a drive for reform, by refraining from encouraging any more benchmark legislation by the current dysfunctional parliament. Focus on making these elections free and fair, and having them held without delays in December 2009.
3. Threaten effective sanctions against authoritarian practices by the Iraqi government in the period leading up to the 2009 elections (including attempts to obstruct or delay them, or other major deviances from agreed-upon policies such as the integration of the awakening councils in the state security apparatus). Sanctions measures could include: Immediate curtailment of the training of Iraqi security forces; full stop of weapons sales to Iraq; targeting of individual Iraqi officials implicated in human rights abuses or corruption involving US and international money; threats of targeted sanctions against government officials at the international level in the case of persistent problems.
4. Sharpen focus on the democratic nature of the upcoming electoral contest by critically re-examining the Iraqi government's designation of "terrorists". Provide US support for "anti-terrorist activities" only on a case-by-case basis.
5. Create carrots for a process of political reform by offering full debt relief as a remuneration if and when the new parliament manages to pass a new or revised constitution. This would involve especially Kuwait and Saudi Arabia, but also other major creditors like China.
6. Similarly, link the US plan for a 16-month withdrawal to the conclusion of a revised or new constitution. This would create another "bonus" for the Iraqis that would mean an early termination of the SOFA based on real political progress. Moreover, the remaining period of the US presence in Iraq would stand a better chance of meeting with popular Iraqi approval if it is tied to the success of political reform rather than to the performance and capabilities of the Iraqi security forces.

7. Stop encouraging Arab and other states to re-open embassies in Baghdad. Instead, the re-opening of embassies should be tied to successful elections in 2009 and progress towards a revised constitution.
8. Do not channel future development aid through the International Compact of Iraq, which involves no real conditionality and amounts to giving the current malfunctioning system a new lease of life. Instead, aid to Iraq should be phased in a manner that would honor progress towards free and fair elections. For example, international aid could be pooled into a Marshall-style package to be activated in stages, after elections have been held and the 2005 constitution has been revised.
9. Do not encourage foreign investments in Iraq's oil sector other than service contracts pending the clarification of the constitutional framework, as any such investments would create major disincentives in the area of political reform.

Empowerment of Disenfranchised Voices

10. Offer financial support for all Iraqi parties that are taking concrete steps to highlight constitutional issues in the forthcoming elections. Relevant indicators would be party programs focusing on constitutional reform, awareness campaigns, membership and candidates in all of Iraq's governorates, and conferences focusing on constitutional issues and the prospects for change.
11. Facilitate a maximum of participation in the next elections by one of the Iraqi nation's greatest resources – the forcibly exiled Iraqis – by
 - a) supporting “come and see” programs whereby refugees are offered money to go back to Iraq on an exploratory visit instead of having to choose between permanent exile or immediate return;
 - b) creating additional security and basic infrastructure for exiled politicians, former insurgents who wish to return to the political process, and potential spoilers. Reach out to these groups with the aim of dialogue; facilitate contacts with the Iraqi government; if such facilitation fails, provide alternative arenas for empowering these groups with a view to integrating them in the political process in 2009.
12. Mobilize an international coalition to create an unprecedented elections observation effort with participation from EU coun-

tries and/or the OSCE. The EU's current focus on competence-building efforts for regional elections observation should be exploited. Technological and material assistance should be pushed to a maximum, in order that issues like identity theft and document forgery may receive special attention. Public discussion about the Iraqi Higher Elections Commission and its independence from the Iraqi political parties should be encouraged.

Regional Diplomacy

13. Create optimal regional conditions by opening separate negotiations with Iran concerning Iran–US issues, but these should be strictly bilateral negotiations where Iraqi matters should be kept off the agenda on the understanding that no extraordinary role for Iran in Iraq is legitimate. Possible areas to be covered include the nuclear issue, US sanctions and the resumption of normal bilateral ties. It should be made clear that the United States is prepared to coexist with Iran and its Islamist regime as an equal partner as long as Iran abstains from meddling in the affairs of other countries.
14. Do not convene any multilateral “regional conferences” prior to the 2009 parliamentary elections in Iraq, because this would be seen as legitimizing the role of external players at a time when the Iraqi polity is particularly vulnerable. To encourage an Iranian regional role would also harm the internal political debate in Iran, where reformists are desperately trying to move the focus away from expansionism and regional machinations, and towards domestic social and economic issues. Apparent signs of “rapprochement” between Arab states and Iran will remain without real value until there is a definitive end to Iran’s overlord role in Iraq.
15. To avoid a situation where everyone in the region uses Iraq to further their own interests: Reduce the incentives for regional players to seek a spoiler role in Iraq by encouraging progress on pertinent issues separately, such as the US–Syrian, Syrian–Israeli and the Israeli–Palestinian tracks.

Kurdistan

16. Offer the Kurdistan Regional Government an internationally guaranteed autonomy within the three Kurdish governorates according to the pre-2003 internal boundaries on pattern of what the Åland Islands in Finland received through the League of Nations after World War I (as first suggested by political scientist Liam Anderson). This would involve guarantees to the Kurds against any encroachments by Baghdad, as well as guarantees to the states in the region against any changes of the borders in the area. In turn, the Kurds would be less tempted to seek to export the Kurdistan model to other parts of Iraq where this kind of propaganda is seen as an external imposition by many. A negotiation mechanism for Kirkuk with a 10-year framework should be established.
17. Foreign investments should be discouraged in the oil sector in the Kurdistan Region, pending clarification of ongoing negotiations about a special internationally guaranteed status. This would enhance the chances for a more realistic and pragmatic constitutional debate.
18. Make an initiative to discontinue the work of UNAMI in the northern areas, which, with its relatively short-sighted horizon, tends to foster a logic of territorial competition and division at a time when the basic principles of Iraq's political system have yet to be clarified through a revised constitution. Instead, seek to generate public debate about alternative means of settling property issues relating to the injustices of the past and the malpractices of the former regime, such as repatriation and compensation schemes at the individual level (instead of the aggregated and more intractable "ethnic-group" level).