

'How This Ends':

Iraq's Uncertain Path toward National Reconciliation

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Brief Analysis

During Iraqi prime minister Nouri al-Maliki's visit to Washington next week, the Obama administration will likely seek to reinvigorate that country's flagging reconciliation process as part of ongoing efforts to establish a stable political order in Iraq. Progress, however, continues to be hindered by ongoing violence, deep-seated suspicions, and partisan politics, raising questions about the ultimate prospects for national reconciliation.

Reconciliation and Postconflict Stability

The process by which war-torn societies heal is imperfectly understood. Experience, however, suggests that societies undertaking a formal reconciliation process to consolidate domestic peace agreements have a better chance of avoiding further civil conflict than those that do not.

Before 2003, U.S. and Iraqi thinking about reconciliation focused largely on the legacy of Saddam Hussein. Today, after six years of insurgency and civil war, reconciliation must also deal with the legacy of violence among ethnosectarian groups, and between former insurgents and the Iraqi government.

Successful reconciliation efforts, such as those in Argentina, Chile, El Salvador, Honduras, Mozambique, South Africa, and Uruguay, require courageous and visionary leadership, and often involve the following elements:

- Truth telling, which permits victims to share traumas and perpetrators to acknowledge guilt
- Redefining social identities by portraying both victims and perpetrators as fellow citizens
- Partial justice, where victims are compensated and at least some of the perpetrators are punished
- Public events that promote forgiveness and new beginnings

Most of these aspects, however, are missing from Iraq's flawed reconciliation process, which encompasses a diverse array of activities involving a broad array of actors -- the Iraqi and U.S. governments, nongovernmental and international organizations (NGOs and IOs), and neighboring states. These activities are often based on divergent assumptions about the nature of reconciliation and the means to achieving it.

U.S. Efforts

Since 2003, the United States has promoted reconciliation through the following activities:

- Working to incorporate Sunni Arabs into the Iraqi Security Forces (ISF) and the political process
- Making amends for the inadvertent killing of Iraqi civilians by offering apologies and compensation
- Engaging "reconcilable" elements in the Sunni Arab insurgency that are willing to join the political process
- Mending ties between estranged communities (Sunnis and Shiites, Arabs and Kurds) by organizing meetings to address common problems
- Pressing the Iraqi government to legislate the integration of former insurgents and disenfranchised communities into the political process

- Documenting property claims and disputes

A tendency to view Iraq almost exclusively through an ethnosectarian prism undermined early U.S. reconciliation efforts and unwittingly contributed to the polarization of Iraqi society. Inadequate resourcing, a lack of interagency coordination, and a refusal to talk with insurgents also hindered these efforts.

The U.S. took a new approach in the runup to and during the 2007 troop surge, when the U.S. military opted to work with former insurgents from various Awakening groups, known as Sons of Iraq (SOI), to fight al-Qaeda in Iraq (AQI). These bottom-up efforts, which focused mainly on reconciliation between U.S. forces and local Iraqi communities and insurgent groups, enjoyed significant success. During the surge, however, broadened efforts to reconcile estranged Iraqi communities, and former insurgents with the Iraqi government, witnessed only mixed success.

Iraqi Efforts

Many Iraqis saw the post-Saddam government's early attempts at reconciliation by retribution and compensation as nothing more than victor's justice. Retribution was carried out by de-Baathification and the trial of former regime personalities such as Saddam Hussein and Ali Hassan al-Majid (Chemical Ali). Compensation was achieved through the establishment of government foundations to care for Iraqis who had been maimed, imprisoned, or killed by the previous regime.

In June 2006, shortly after becoming prime minister, al-Maliki announced a twenty-four-point national reconciliation plan that included provisions for amnesty, conferences, a review of de-Baathification procedures, compensation for victims, punishment for terrorists and war criminals, and the creation of the Supreme Committee for Dialogue and National Reconciliation (SCDNR). Minister of State for National Dialogue Affairs Akram al-Hakim, a close associate of al-Maliki, heads this committee, an organization that attempts to engage Iraqi tribes, civil society organizations, political parties, and religious leaders. Al-Hakim oversees, at least in theory, all governmental entities involved in reconciliation, although quite tellingly, the committee lacks a professional staff and remains unfunded (parliament rescinded \$65 million earmarked by the Council of Ministers).

The Iraqi government's principal operational arm for reconciliation is the Implementation and Follow-Up Committee for National Reconciliation (IFCNR), which was established in June 2007 and is currently headed by Muhammad Salman al-Saadi, another al-Maliki associate. While formally under the purview of SCDNR, it actually reports directly to the prime minister and enjoys a high degree of autonomy. It deals mainly with the vetting of former regime personnel, tribal affairs (including both Awakening and tribal support councils), internally displaced persons, access to basic services (denial of which was used in the past to punish perceived enemies), and job creation issues.

In September 2007, the Iraqi parliament established the ad hoc National Reconciliation Committee (NRC). The independent Sunni parliamentarian Wathab Shaker heads this committee, and its dozen or so members are drawn from nearly all major parties. The NRC is not, however, a major player. Its primary activities include working for the release of mainly Sunni detainees and serving occasionally as an interlocutor to the Arab League.

In January 2008, the Iraqi parliament passed the Accountability and Justice Law to supplant the de-Baathification system established in 2003 by the Coalition Provisional Authority. Although some of its provisions are improvements -- less stringent criteria for de-Baathification, more generous pensions for dismissed personnel, forfeiture of restored rights in the event of demonstrated culpability for criminal acts, and an independent appeals mechanism -- others are not, such as exceptions to the new de-Baathification criteria and the wholesale dismissal from government service of former employees of Baath-era security agencies. The commission required to implement the law, moreover, has not yet been established.

In addition to these top-down governmental efforts, a number of bottom-up initiatives have originated from civil society, in the form of community and tribal gatherings.

The Iraqi government's reconciliation activities have been hampered by the taint of politicization and the lack of follow-through. A desire for revenge rather than reconciliation was seen as driving early de-Baathification efforts and trials of former regime personalities, further polarizing Iraqi society. Al-Maliki uses IFCNR to extend patronage to his supporters, such as the tribal support councils, and to exert leverage over his former enemies, while members of parliament apparently drove the creation of the NRC to ensure that the government addressed their reconciliation agenda.

Since al-Maliki outlined his ambitious agenda in 2006, accomplishments have been modest. Although dismissed army officers have been reinstated, personnel from the former regime's security forces have been paid their pensions, and local reconciliation efforts have gone well, problems remain. The Accountability and Justice Law remains largely unimplemented, key proposed amendments to the constitution have not been passed, and it is unclear whether the government will find stable employment for the eighty percent of former SOI militiamen who not being integrated into the ISF.

Finally, differences between Baghdad and the Kurdistan Regional Government (KRG) have been dealt with primarily by deferring difficult decisions on such key issues as the status of Kirkuk, governance in Ninawa province, oil, peshmerga/ISF relations, and the KRG constitution.

NGOs, IOs, and Neighbors

Numerous foreign NGOs have supported the reconciliation process by training conflict resolution facilitators and sponsoring workshops and

conferences to promote dialogue among Iraqis, resolve local conflicts, and forge a common future vision for the country.

The UN Assistance Mission for Iraq (UNAMI) has promoted reconciliation by supporting elections, working to resolve the issue of Kirkuk, and helping draft the International Compact with Iraq. The Arab League sponsored the Conference for National Reconciliation in Cairo in November 2005 and dispatched a permanent mission to Baghdad in April 2006. The League's effectiveness, however, has been limited due to its failure to continuously staff its Baghdad office and tensions between its largely Sunni Arab membership and the largely Shiite Iraqi government. Finally, the government of Jordan has hosted a number of conferences to promote dialogue and reconciliation among Iraqis.

While it is hard to assess the overall impact of these diverse activities, some NGO-sponsored peace-building efforts have yielded important local benefits.

Reconciliation Challenges

A number of factors are likely to complicate efforts to achieve national reconciliation in Iraq:

Vested interests. Perhaps the biggest challenge is that key political parties have successfully exploited ethnosectarian grievances as a means of mobilizing support. These parties have a vested interest in perpetuating the political status quo and would stand to lose a great deal if a postsectarian style of politics in Iraq were to emerge as a result of a successful reconciliation process.

Persistent violence. Ongoing violence, although at greatly reduced levels, prevents old wounds from healing, opens new wounds, and creates the potential for renewed civil war. This reality lends immediacy to one of the principal conclusions of a landmark World Bank study on civil conflict: nearly half of all countries emerging from civil war suffer a relapse within five years.

Elusive consensus. Fundamental disagreements remain among Iraqis on a number of key issues, such as de-Baathification, the oil law, and Kirkuk. The fragmentation of Iraqi politics (more than four hundred parties and entities participated in recent provincial elections) complicates efforts to identify individuals capable of speaking for and negotiating on behalf of broad constituencies.

Justice denied. Many of those responsible for the worst bloodletting in recent years -- including leaders of antigovernment insurgent groups and government death squads -- are still involved in public life as members of provincial councils, the ISF, or parliament and show no contrition for their actions.

Demographic complexity. Because various population groups remain intermingled throughout the country despite years of ethnosectarian cleansing, incidents in one place may have broad consequences elsewhere.

Multilayered conflicts. Iraq's civil war involved conflicts within, as well as between, communities: the "nationalist resistance" vs. AQI, Awakening councils vs. Islamists, Jaish al-Mahdi vs. ISF units aligned with the Islamic Supreme Council of Iraq. For this reason, intra- and intercommunal reconciliation is needed. To date, most reconciliation efforts have focused on the legacy of intercommunal conflicts, though ultimately both legacies need to be addressed.

Iraqi political culture. While Arab tribal culture and Islam have provided the normative justifications and mechanisms for reconciliation at the local level, the desire for revenge, a zero-sum approach to politics, and religious extremism have hindered reconciliation at the national level.

Election-year politics. In March 2009, when the government expressed a willingness to reconcile with some Baathists, a number of civil society organizations (all apparently linked to the Islamic Supreme Council of Iraq) were formed to thwart these efforts. It will be difficult for the government to ignore these organizations in the run-up to the January 2010 elections, lest it appear "soft" on Baathism and lose the support of key constituencies.

External meddling. Syria, the Gulf Arab states, and Iran supported groups such as AQI and Jaish al-Mahdi, contributing greatly to the 2006-2007 Iraqi civil war and ongoing violence. Preventing the arming, training, and funding of such spoilers is key to keeping the peace in Iraq and moving the reconciliation process forward.

For all these reasons, Iraqis are likely to coexist uneasily for the foreseeable future. National reconciliation, if it occurs at all, could take years.

Next Steps

Preventing major renewed outbreaks of violence is an essential condition for successful reconciliation in Iraq. Accordingly, the main U.S. priorities in the next two years should be to press the Iraqi government to find stable employment -- even if "make work" -- for former SOI personnel and army officers who participated in the insurgency, and to prevent clashes between the ISF and KRG forces in contested areas.

This will require the United States, first, to expend significant political capital to convince the Iraqi government to take steps it finds extremely distasteful and, second, to continue to discourage the KRG from undertaking actions that could be perceived as provocative by other Iraqis. By the same token, the United States will have to tolerate al-Maliki's efforts to reconcile with members of Shiite cleric Muqtada al-Sadr's movement, including "special group" militants who have American blood on their hands.

Furthermore, the United States and the international community should seek to advance the reconciliation process by:

- Working to enhance the capacity and professionalism of SCDNR and the Ministry of Justice, which plays a key role with regard to a number of potentially sensitive transitional justice issues

- Making foreign aid, investment, and debt forgiveness contingent on the Iraqi government's progress toward reconciliation, and by supporting, financially and materially, those organizations and entities, both Iraqi and foreign, actively working toward this goal
- Encouraging postsectarian politics in Iraq by funding NGOs that assist in the development of issue-based parties; urging the passage of a law that would require parties to declare sources of financing and proscribe funding from foreign sources (thereby reducing opportunities for foreign meddling in Iraqi politics); and pushing for the adoption of an open-list, multiple-district system for the January 2010 national elections, which is more likely to produce cross-sectarian political coalitions
- Fostering the creation of professional, nonsectarian civil service and security forces by offering merit-based training, education, and scholarships in the United States and elsewhere. Military assistance should be made contingent on continued progress toward creating an apolitical, professional, and reasonably representative officer corps
- Tapping into the widespread yearning for change in Iraq by issuing statements to the Iraqi and Arab media supportive of issue-based politics and free and fair elections. This will limit al-Maliki's ability to indulge his sectarian instincts and avoid meaningful reconciliation.

Finally, the international community should encourage the establishment of an independent, nonpartisan Iraqi organization, whose board of governors is confirmed by parliament, to coordinate and prioritize nongovernmental reconciliation activities and to serve as a counterbalance to IFCNR and SCDNR. UNAMI, if properly resourced, might assist with this effort. Such an entity would help NGOs and local and provincial governments facilitate bottom-up reconciliation.

Iraq is unlikely to resolve the many issues on its reconciliation agenda in the near -- or even distant -- future. Nonetheless, an energized reconciliation process that facilitates incremental progress on key issues, bolsters the security gains of the past two years, and helps tamp down ongoing violence is vital to the interests of both the United States and Iraq.

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