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Charity Registration Number: 208223

Transcript Q&A

Iraq Ten Years On – Iraq's Political Systems

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19 March 2013

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Nussaibah Younis:

I think as I promised we have started to get to the nub of some of the most complicated and intractable issues that are at the heart of Iraq's current political crisis. And I just want to dig a little bit deeper with our speakers before opening up to questions. Fanar, I wanted to ask you about the level of support for Prime Minister Maliki and his core Shi'ite constituencies. Has there been any holding of account to Prime Minister Maliki for the dismal performance on services and on the sheer scale of corruption that we're seeing in Iraqi politics? Why aren't we seeing the emergence of a strong, popular Shi'ite politician who is taking Maliki to task on these issues, and is it pie in the sky to think that a Shi'ite leader could emerge with a strong Shia constituency who tries to reach out to the Sunni and Kurdish communities as well?

Fanar Haddad:

I mean I think these protests of western Iraq are a godsend for Maliki, because my view is that Shia or Sunni, the level of dissatisfaction among Iraqis is sky high. I spent most of my time in the mid-Euphrates and in the south, and the amount of complaints and the number of times I heard the phrase *ish has'la ne* - what did we get out of 2003, from military officials to civilians to policemen to you name it, they just kept coming up again and again and again. So the natural question is: well why don't you go out in solidarity with the western provinces against the current government? It's the sectarian bogeyman that keeps them awake. They make mention of the old Iraqi flag, the Free Syrian Army's flag, some of the rhetoric. Out of fear of the sectarian other – and this is on a collective basis rather than on an individual basis I should stress – they will rally around a state that they feel is less than adequate, nevertheless legitimate. So they have their problems with the government but not with the state.

Now is it pie in the sky for a figure to emerge? I mean no, it can happen, it's possible, but at the moment I can't see it happening in this current climate, with the elections coming up, with the protests in full swing, I can't see it happening at the moment.

Nussaibah Younis:

Thanks. And Hayder, there's clearly a tension in the relationship between Sistani and Prime Minister Maliki. To what extent is Sistani acting as a restraint on Maliki's exercise or abuse of power at the moment? And you said

that the *marja'iyya*'s red line was going to be the collapse of the political order. Do you have a sense what it would take for them to see the political order as collapsing, and what it is that you would expect them to do in that situation? And finally, do you have any thoughts on who is going to replace Ayatollah Sistani when he dies and with what implications for the Iraqi political scene?

Hayder Al-Khoei:

I think on the first point, I did mention the calls to dissolve parliament. Sistani came out very strongly – and it is worth mentioning the two people who Maliki sent to speak to Sistani. One was Dr Hussain Shahrastani who was the previous oil minister and he's currently extremely powerful in the energy sector, but also he's heading the ministerial committee to look into what's happening in the protests. And the second was Sheikh Hailm Zuhairi who is Maliki's right-hand man when it comes to intra-Shia, Iran-Iraq, Iraq-Syria relations. These are two people who are very close to Maliki, in his inner circle.

They flew to Najaf to meet Sistani and Sistani refused to meet them. This is a very clear signal the *marja'iyya* is sending to the political class. Instead there was a sort of halfway solution. What Sistani had done was sent his eldest son, Muhammad Reda Sistani who was also the head of his office, to Sheikh Fayyad's house, who's the other Grand Ayatollah in Najaf. And he made it very clear to them that these protestors – their demands should be met, you guys have taken Iraq down a path where corruption is the norm, it's not the exception. And I think if it wasn't for this sort of religious oversight, the people who today claim Maliki is a dictator would have some very serious concerns about what his ambitions are in Iraq if it wasn't for the check the *marja'iyya* places on Iraq's political class.

In terms of after Sistani who would come to his place, I mean it's not really my place to speculate on names but I would say there is a system in Najaf, maybe it's not a formal system and hence why a lot of people misunderstand it, but it's a very slow, tedious process to get to the level of Sistani, or even below Sistani. There's been a lot of media speculation. The first one I read actually was in the Saudi press, which I don't think was a coincidence, about Iran's sort of plan to parachute a cleric into Najaf and somehow control the Shia – well because they'll have come and they'll have Najaf as well. It is actually quite ridiculous, and the person they were claiming would be in this position was Ayatollah Shahrودي, who's a very well-respected scholar, don't

get me wrong, but his political connections with Iran compromise – and they will compromise for any cleric who wants to assume Sistani's position. In Najaf we have four Grand Ayatollahs; Ayatollah Hakim, Ayatollah Fayyad, Ayatollah Najafi – I assume it will be one of these three who takes the helm of the Shia spiritual position.

Nussaibah Younis:

Zaid, you talked about the culture of centralization among Iraq's political elite, and also about the constitution being unfit for purpose. If you were to give some policy prescriptions to Iraq's current political elite, what would they be, and how would you articulate them in a way that makes them in the interests of that elite? Why should it be a priority for them?

Zaid Al-Ali:

The second part of your question is very difficult because their interest is in maintaining the status quo. They have it fine in the way it is currently. They don't have the type of background that they would need, they don't have the knowhow, they don't have the knowledge in order to improve their performance, so it's in their interest for things to stay very tense, for there to be sectarian problems in the country and for there to be the types of issues that we keep on talking about. The worst period for them perhaps was the period between 2009 and 2010 where violence decreased significantly and the discourse became suddenly about corruption, and it became about services. And then the electoral process and the campaigns were all about those two issues, and then when the results weren't in their favour then we return back to sectarianism.

The sorts of policy prescriptions – I mean there are all sorts of options that you can imagine, but one would definitely need to devolve more authority and more power to the local level, that's a trend that's taking place worldwide, in all parts of the world. The only restraint that you could imagine that might apply to any country to decentralization is finance because decentralization is expensive, but that's not a problem that we have. So we can afford it, the knowhow will come with time so we should engage with it, but it's not coming because it's not their mind-set and it's not in their interest. Their interest is to maintain the status quo, and for as long as they monopolize power we will continue in the status quo.

Question 1:

I would like to just briefly comment on Mr Zaid Al-Ali's point on federalism and the application of executing the constitutional articles. Although Iraq is federal on paper, but when it comes to application never being given the chance to exercise that federal formula so thriving on central practices of legacy regimes and apparently the existing ruling powers enjoying that centralist formula, and this may be an explanation of why these problems are happening. I heard earlier from the previous panels that represent from... the government says one of the solutions is to grant more authority to the provinces. Well these are like not solutions, they are constitutional rights that all these provinces are being deprived to exercise since January 2006. Now going back to the federal court, I totally agree that the constitution may put some sort of vagueness or left unanswered questions, but when it comes to the federal courts the parliament, and I can't remember the exact number of the article, by the authority of 10 MPs can table a law, and dozens of laws have been passed and the government did not interfere of these laws. They only interfere on bills that could affect the vision of the ruling parties or party, such as the revenue sharing of our hydrocarbon law and the federal court, the constitution federal court.

On the last point, the authority of the chief of armed forces – yes the constitution may be silent on that, but that was left to the by-laws of the council of ministers to be defined but we don't have by-laws, and the previous administration and the current administration, of which both are headed by Mr Maliki, have failed drastically to put a by-law setting because that by-law will define the authority of that council of ministers and the jurisdiction of that authority. That's why you have a chaotic administration, and even like the numbers of deputy prime ministers is becoming a de facto of like this is the deputy prime minister for investment or services or whatever. There is nothing as such. Thank you very much.

Zaid Al-Ali:

In relation to the authority to pass legislation, what the constitution says is that MPs can pass a *muktarat* okay, and not *masharo*. So the difference in terminology is they can table an initiative, legislative initiative, not a bill. So what that technically means is that in order for a *muktarat*, an initiative to become a bill, it has to go through government first. Now it's true that sometimes votes take place in parliament and government doesn't interfere, it's true that sometimes they don't but whenever it interferes with, as you say,

the government's vision they interfere, they appeal to the federal supreme court and the cancel the law, even though it's approved by all MPs or most MPs or so on, so forth.

Then in relation to the commander-in-chief and by-laws and so on, so forth, yes I completely agree. Normally what would happen in other countries is that in order to avoid these problems, in order to avoid the problem of leaving the ordinary political process, the opportunity to sabotage armed forces, is that you would include these issues of the by-laws in the constitution itself. You would include significant detail in the constitution about how the armed forces should be organized, about the authority of the prime minister, within the constitution, and you wouldn't allow it for things to be delayed and for a political party to seek to negotiate its way out of entering into an agreement. And that wasn't done. In Iraq we don't have it in the constitution and we don't have it in the by-laws. We have it nowhere.

Question 2:

As bad as things got in Iraq in 2006 and 2007, the country did not become what Syria is today. And it strikes me that if any country did have the ingredients, the weaponry available, the conditions to become a civil war fought along proxy war grounds, along ethnic and sectarian minds, it was Iraq. If the constitution is so ineffectual, if the politicians are so corrupt, if the society is so ridden with sectarianism, what was it which held Iraq together and continues to, and do you think it may unravel again?.

Fanar Haddad:

Well one thing characteristic about Iraq that you don't see in Syria today was pretty much the absence of a government back in 2006. The government was extremely fragmented with different factions within the political process supporting different armed groups. Perhaps that would account for why it held together, so it held together because of the chaotic nature of Iraqi politics at the time. Also the US role, don't forget the US was still in town, even though by all accounts they stayed clear of the violence and did not interfere until the surge, but that did play a role as well. Furthermore, the fragmentation was also quite sharp among the militant factions as well, as evidenced by the eventual rise of the Awakening movement, or the Sahwa.

Question 3:

In my view, rule of law is the most important element democracy and economic growth. Without you cannot proceed, whether Maliki or not Maliki, uprising, demonstrations... What is the role of government, non-government organizations to promote rule of law in Iraq? You said some negative things about the court in Iraq.

Zaid Al-Ali:

Your question was about civil society, is that right? What civil society should do is to push for a revision of the constitution, to keep pushing for it until it happens. The constitution in its current form will not allow for an independent judiciary. It won't happen because the elements just aren't there. It pays lip service to an independent judiciary in the same way the 1925 constitution did, the 1958 constitution did, the 1963, the 1968, 1970, they all said the same thing; the judiciary is independent and this shall be regulated by law. And who controls the law? The president, the king, a very small group of people, so what that means is that those small groups of people control the courts.

You need detail in the constitution about what independence, judicial independence, actually means, and there are lots of examples of how this can be organized. Each country has its own system, so in Iraq we should have our own system, but we need a system. We just don't have anything; we have nothing in our constitution that protects the independence of the judiciary. So we need for that detail to be there, there needs to be something, some way, some mechanism that protects judges from dismissal, from punishment, from being transferred, so on, so forth, in our constitution, and not for that to be left to the ordinary political process. If you leave it to the ordinary political process, it means that political majorities will capture courts in the way that has happened today.

Question 4:

Zaid, I wanted to ask you about the significance of the constitution in the broader context of Iraq's problems. Because on paper you can have the perfect constitution, you can have the rule of law, but if in practice there are deep rooted issues like sectarianism, lack of social cohesion, etc., how significant can the constitution be in that respect? And Fanar, on the Anbar protests, can you perhaps give us your on-the-ground thoughts on the relationship between the protestors and Syria? And Hayder, can you tell us

about the Shia community in Iraq and what the general perceptions are towards the Syrian conflict?

Fanar Haddad:

Protesters and Syria; that link is very important, at least definitely with regards to perceptions. So there is this idea, and it has a lot of traction, that what happens in Syria and what happens in Anbar, these are linked, and what happens in Anbar is necessarily bad because of what's happening in Syria, to speak it plainly, as in it's anti-Shia. Now whether this is true or not, I doubt the links are so strong. Last week there was that incident with the Syrian convoy being hit in Iraqi territory, so there is definitely some kind of spillover from along that porous border, but whether actually impacts directly on the protest themselves in terms of a tangible link, I don't think so, but in terms of perception it's very important. I remember as early as last year I was in Iraq and I constantly heard from Sunni politicians, going all the way down, that when Syria falls, that will be our deliverance. So I think some very unrealistic hopes are being placed on the downfall of Bashar. Conversely, you'll often hear amongst Shi'ites that when the Shia falls this will herald the apocalypse for the Shias, so it's equally fantastical I think.

Hayder Al-Khoei:

Just on that point, there are actually messianic traditions and prophecies that some Shia do cite when it comes to Syria. Apparently before the end of the world somebody's going to violently take over power in Syria and Damascus specifically, it will be a brief period of rule. The Kurds will secede or have their own sub-state within Syria, and it is used to sort of justify the position. But that's the crazies.

I've just recently come back to Iraq and I was Najaf, Karbala and Baghdad, so I spoke to the Shia community, senior politicians, senior clergy and ordinary people. There are obviously differences in how they view the crisis and that reflects in their policies, but the unifying sort of thread is it's dangerous. If Assad falls we have again very porous borders between Iraq and Syria, many of the tribes are the same tribes so they have kinship across borders and they do say, the Syrians say, 'when you had your troubles we came and fought with you against the Shia government, against the Americans, why are you not coming to fight with us?' The Shia militant groups, or some Shia militant groups, are there in Syria. I haven't seen any evidence to suggest they are on the same level as Hezbollah in the sense they're fighting with the Syrian

regime in, near the Syrian-Lebanese border, but they are in the Syeda Zainab district which is home to a Shia shrine. The figure I heard in Iraq was 1,500 – I'm not sure if that's exaggerated or downplayed – there are 1,500 Iraqi fighters, and it's worth mentioning this is seen as a legitimate battleground for the Shia in Iraq, and indeed across the Shia world.

This isn't seen as 'we are helping Assad crush the Sunni rebels'. For the Shia, some, that terrified them, they don't want a repeat of that and they are fearful that the holy shrine in Damascus and Syeda Zainab will be attacked by the FSA or even by Jabhat al-Nusrah or the other Al-Qaeda affiliates. We have seen across Syria shrines blown up, tombs blown up. They're not, they may not all necessarily be Shia shrines, some of them may be Alawi shrines or Christian places of worship, but it terrifies the Shia across the border.

Zaid Al-Ali:

It's a valid point and it's something that people have to struggle with all over the world, and there's an important question of research that needs to be done as to why this particular group of people came into power in Iraq. They were elected – were the rules of the game fair? There's an interesting question that needs to be answered.

But you could have an excellent constitution, but if it's being applied by people who aren't of the right quality then it's a major problem. And Iraq isn't the only country that has that problem. In South Africa for example, South Africa is, given that we're talking about religion so much, it's the mecca for constitutionalists. If you're invited to a conference in South Africa you go but if you're invited to a conference in Accra you may not go. And yet in South Africa they have a great, one of the most advanced constitutions in the world but they have serious problems, in decentralization for example, serious, serious problems.

Question 5:

I have a three-pronged question. The first one is for Zaid with regards to the constitution. Given the imbalances in the representation among ethnic and sectarian groups, would we be seeing in Iraq a system similar to that of Lebanon, where the political system becomes sectarian? My second question is with regards to cessation of Kurdistan. Is this a tail risk or is this something that we might fathom in the next few years given heightened tensions? And my third question is to Fanar, with respect to how much is the sectarian and

ethnic tensions in Iraq affecting economic growth and how can that be countered?

Fanar Haddad:

I was more interested actually in the flipside of that relationship, how lack of economic growth is affecting sectarian tensions, and I think it plays a big role and it's easier to mobilize on identity issues and play identity cards when the economic situation is as poor as it is, or at least the trickle down is as scarce as it is. I mean I suppose you could say, you could argue that with heightened sectarian tensions comes political instability and possibly increase in violence, that obviously doesn't do the economy any favours but, as I said, I'm more interested in the flipside of the relationship and I think economic stagnation is not good for sectarian relations.

Zaid Al-Ali:

I mean just very briefly, our system of government is already sectarian. It's not officially sectarian, there's nothing in the constitution that provides that things have to be the way they are, but they are the way they are. And the same in Lebanon; there's nothing in the Lebanese constitution that says that the president has to be Maronite, so on and so forth, but that's the way it is today. It may change but I don't see any prospect for it changing, at least under the current dynamic.

Question 6:

I have a great deal of sympathy with Zaid Al-Ali. As British ambassador during the negotiations on the constitution, I was in some of these smoke-filled rooms and I was privy to some of the compromises that had to be made, and I think certainly when something was closed off for discussion and it was regulated by law – I for one thought it was going to be regulated by parliament in future. So it's quite interesting, there was different interpretations of what 'regulated by law' meant. It looked like all the politicians were essentially putting that to be decided in the future, so I have a great deal of sympathy. I do think the constitution was rushed and, as British ambassador, I know the American ambassador was under the same pressure from Washington: get a constitution, get it voted and make sure these Iraqi politicians come through. So I have a great deal of sympathy.

On the issue of decentralization, I was... we were privy to a whole bunch of stuff, and as a Scot – a unionist, I may say so – as a Scot we were often described as the 'Kurds of Great Britain', troublesome mountain people who are very good at protecting their own interests. But the issue and one of the things we talked about during this constitutional process was asymmetric federalism. It is possible to recognize special nature of certain historical situations, whether it's in the Kurdish region or whether it's in Scotland, where you can have different constitutional arrangements with respect to federalism to the centre.

And one of the issues, and I'd like Zaid Al-Ali and any of the other panellists' view on this, one of the fears was that we talk to the Shia, the Shia didn't know whether they wanted three regions of the south or one big region in nine. I remember having long discussions with Abdul Aziz al-Hakim about this, about one big nine Shia region, and the Sunni fear that this would lead to the split up of Iraq on sectarian grounds. If you had a nine province Shia region then you'd have to have a three province Sunni region, you'd have the Kurds, and then you'd have a sort of federal Baghdad. How do you get to centralization, decentralization that recognizes that the Kurds are slightly different – I mean that may not be accepted in Iraq but I think it's pretty much a reality – that recognizes that Kurds are slightly different, that doesn't lead to a sectarian divide? And I suppose the other question is is there any active discussion going on in Iraq – I'm a bit out of touch – on changing the constitution, remedying some of the faults that you have so clearly identified?

Question 7:

If this was 2008 and we were talking Iraq five years on, we would be constantly talking about somebody called Muqtada al-Sadr. It's remarkable that he hasn't been mentioned at all, not even when... you asked Dr Fanar, is there a sort of populous person who's raising issues against Maliki on service delivery, or lack of. So my question maybe shows that I'm totally out of date. I did read somewhere that Muqtada al-Sadr had said he was in sympathy with the Sunni protests, although I don't know whether he was more specific than Sistani has been, so could you tell me if that is true. And secondly, more widely obviously, what is Muqtada al-Sadr doing? Does he have much political power at the moment and what about all these young men who are in *Jaish al-Mahdi*, what are they doing, what is their position?

Question 8:

In most discussions of the defects of democracy and inadequate democracy, there is some mention of the role of the media, whether they're in a healthy state or not. And we certainly know from other countries like Yugoslavia, which went into a slide into sectarianism and worse, that bad media play a very serious role in reinforcing sectarianism and good media play a very serious role in contesting it. So I'd like to ask any of the panel who are interested in that issue to comment on the state of the media in Iraq today and on the chances that better media can bring about or help bring about the renewal that you've all touched on, and in particular Zaid Al-Ali has said is the only way out.

Hayder Al-Khoei:

I mean over the last couple of years the Sadrists have restyled themselves, they have become a lot less radical, they've become ostensibly a lot more inclusive of the other political parties, and Muqtada himself has turned from a radical leader into a sort of force for moderation, which is ironic in itself. The point I'd say about Muqtada and other Shi'ite partners of Maliki, such as Hakim, when they constantly try to calm down the tensions and say these things shouldn't escalate – and I'm referring to the political leaders like Muqtada and Hakim – it's important to bear in mind that as Dr Fanar mentioned, that the protests are a godsend for Maliki. The more the sectarian tensions increase, the more Maliki becomes popular with the Shia base, even those who would have voted for Hakim and Sadr. So in their attempts to calm down the situation they also want to reduce the support that Maliki is getting and, of course, if it turns violent it's another issue, then people with militias will become a lot more powerful *vis-à-vis* Maliki. But as long as it's brinkmanship and everyone's just grandstanding, I think we need to look at the public calls for moderation and inclusiveness in a more sort of cynical lens.

Nussaibah Younis:

The media question is an interesting one. Fanar's book uses a lot of more populous media sources looking at YouTube videos and popular songs and poetry. What role did that play in the sectarian dynamic?

Fanar Haddad:

I think it reflected the... what was happening on the ground. Now with regards to media today and even back then, there was a strong echo chamber effect. Depending on your prejudice or your biases, you will follow a certain number of media channels that will echo a familiar line. It's unfortunate that these positions can be delineated along ethno-sectarian lines or identity lines. There is fairly healthy independent media in Iraq. However, there's a shortage of funding, there is government pressure sometimes – it's more akin to a blog rather than a national newspaper, for example.

Zaid Al-Ali:

So on the discussions that you've mentioned, my understanding of the discussions that took place in 2005 – and my understanding, at least my belief, is that asymmetrism is fine for Iraq and for any country. You can always have regions that have the odd relationship to the centre that's different to other regions. And Spain was a model that was not even detailed in Iraq, the Spanish model, that has its own problems. The problem is that in Iraq the way in which the constitution was drafted was this fortress-like mentality. The issue wasn't that we're going to create regions and these regions will take care of service delivery in their areas, the idea was that each region will become a fortress for their people or protect its people from everyone else. And when that's the mentality you're not talking about a country any more, you're talking about separate entities. They may nominally be part of a single state but it's a fiction.

The discussion should be about decentralization or federalism, and the discussion should be one based on good governance about the delivery of services, and not one of 'I'm terrified of you and therefore I should find a mechanism to protect myself and my interests and my family from you as my enemy'. If you consider the other in your country to be your enemy then you may as well not be talking about a country at all any more. Whether or not there's a dynamic today to reform the constitution, the answer to that is no. I'm I think the only person that keeps talking about it. I talk about it a lot, by the way, I get a lot of practice, but it's not the dynamic. The dynamic today is all about protests and sectarianism and Sunnis and Shias. I just used the words but that's the dynamic, it's not about governance and so on, so forth. The poor are neglected in Iraq. Service delivery is not the priority. The priority is just about sects, that's the priority.

Question 9:

Firstly the issue of corruption, corruption has a long history in Iraq. During the former regime, especially during the 10 years of sanctions, the ministries were riddled with corruption because people, the employees basically could not get a fair wage so everyone turned a blind eye. Now those same ministries are there so corruption is there, it has a history, it's not new, firstly.

Secondly, corruption with the national government of a national unity, every minister is responsible for its own ministry. Prime Minister Maliki has only two ministers in this current government, the minister of higher education, minister of youth and sports, and their performance is actually quite good, which means that what I'm trying to say is it's not really accurate to blame Maliki on every piece of corruption that's in the country. It is a very complicated issue.

My question to the panel is how – and there have been a lot of the anti-corruption committees, etc. – how can we get over this complex situation of corruption? The second really important issue is the question of services. Again it's been talked about, the government has abysmal failure; facts of the ministry of education, 900 schools under way, 2,300 schools repatriated or rehabilitated, 480 kilometres of roads in the past two years – these are facts. But again services, every minister is responsible for services. Maliki does not have the right to hold account any minister if he is from another bloc. So again, now the other thing is political wrangling, the infrastructure law which was put to parliament, which would have given 40 billion to build infrastructure, was opposed by the Iraqi and others. My final thing is the protests and how has the government, so again my question is how can we overcome the problem of services, given the complex situation?

My third question is the protest in Anbar, the government has put forward, has put together a ministerial council headed by very powerful deputy prime minister who has visited the regions, met the heads of the protests in the Iraqiya channel. There are thousands of demands that are being met for these protestors – how is the government dealing with the protests and how can it deal better?

Fanar Haddad:

Well I'll end by answering part of your question. I wasn't here for the first panel but I'd be very surprised if anyone would be foolish enough to just place it all on Maliki. This isn't about Maliki, the entire system is flawed. You mentioned corruption; it's a cancer flowing through the veins not just of the

state but of society. It's absolutely staggering, the level of corruption. You ask how to get over services? Well it's linked to get over corruption first. Now how to get over corruption reminds me of what Zaid said about the constitutional reform process, as in why should suddenly after all these years these same people suddenly reach enlightenment? I cannot see, I have no idea how to get over corruption in Iraq, it's so pervasive, it's so... but it might be a generational issue.

Hayder Al-Khoei:

I don't have anything to say on the specific topic, but just two things I missed previously on the southern cessation and Hakim's sort of vision. I think the Shia voters voted very decisively against one southern province and Majlis Al-A'ala, the Iraqi Islamic Supreme Council, were literally relegated to political irrelevance in the 2009 provincial elections. And of course there were other reasons, one of them being Maliki used the nationalist ticket and he benefitted off the 'Charge of the Knights' offensive against the Shia militias, but the vast majority of the Shia, certainly the ones that I speak to, do not want a separate province for themselves. Maybe the exception is Basra. Basra even then is not for sectarian reasons. The Shia you speak to in Basra, as with the Sunnis in Basra, they do want decentralization, they do want to move their project forward and they see Baghdad as a barrier to this. But even in Basra, the calls for federalism are not based on sectarianism as it was.

On the issue, one of the ladies asked about the Kurdish secession. From what I can gather, there seems to be two distinct Shia lines: the religious line and its historical – the Shia fatwa in the 1960s against the Iraqi central government killing the Kurds. And the Kurds continuously used this fatwa to show off the historical relations the Shia had with the Kurds. And it was a very clear fatwa – you do not fight the Kurds – and a lot of Iraqi soldiers deliberately misfired in the war between the federal forces and the Kurdish forces. The religious establishment does want to see a return of good relations. I know specifically there are delegations that have been sent from Najaf to Erbil to try and work it out, but the problem is the Shia political class don't see eye to eye with the religious establishment.

The attitude – and it comes off very blatantly if you speak to a Shia politician, especially if he's in the State of Law Coalition – when you ask them 'are you not afraid of the Kurds going it alone?', the two immediate reactions are 'good luck' and 'good riddance'. Good luck because even if they do manage to break off from Iraq, well Syria is no longer part of the equation but the Turks

and Arabians certainly aren't going to keep quiet with very large Kurdish populations. And good riddance because if the Kurds do break off, the Shia are going to jump from 55, 60 to around 80 per cent, so now there is sort of tensions when it comes to how many Shia there are, how many Sunnis there are, how many Kurds there are in Iraq. If the Kurds do go it alone, and Iraq becomes an Iraq without the Kurds, the Shia will be undisputable majority, and this is dangerous. The cooler heads, the calmer heads, the wiser heads, they don't want this to happen, but unfortunately politicians are short sighted and they want to see immediate gains and they're in power and they want to maximize this power. So it's a very delicate situation.

Zaid Al-Ali:

Just to echo something that Fanar said earlier, I'm also not focusing on Maliki as being a source of all of Iraq's ills, that's not the issue, but I also don't want to excuse him also for failed performance as well. Corruption existed in Iraq, has existed for a long period of time, it was definitely very, very bad during the 1990s but it doesn't excuse current performance today. It's a long time ago, the 1990s were a long time ago now, and a lot of the things that have taken place over the past few years, some of them had nothing to do with Maliki but some of them did. So I can cite one very specific example, which is the Integrity Commission which was headed by a very respected judge, Rahim al-Ogaili, for those who are interested and who care about these things he was Shia, he was a great guy, a pioneering judge, anti-corruption judge and he was doing a great job in his position, and he was pushed out by Maliki. He was forced to leave, and he's currently living in fear now in Iraq for his life.

So it's definitely not a Maliki problem. Maliki is a symptom of – he's part of a larger problem. And then also to echo something that Hayder mentioned earlier that I also wanted to tackle before, is that during the constitutional negotiations in 2005 the position that ISCI had, that al-Hakim had, was not reflective of their genuine weight in the community, that was one of the main problems, and the understanding in the international community that he represented, the al-Hakim represented the entire Shia community was a gross distortion. So when he gave that momentous speech in Najaf in August of 2005 in which he declared that he was in favour of forming a mega-region in the south of the country, everyone understood that to mean that that is what the Shia wanted. But yet, going back to Maliki, Maliki was one of the first people that came out very strongly at that time saying we are opposed, we are not in favour, we are not in favour of breaking Iraq up into states.

Also al-Sadr, to give credit where credit is due even if it's unpleasant, also said the same thing, and today al-Hakim has a very small proportion of the Shia vote. But sadly, because the constitution has now locked us into this dynamic and it was written by these people who have at the time controlled the process and who had extremist views about federalism and we're locked into it, we can't break out.