Transcript: Q&A

Iraq: Fragile Progress

Ranj Alaaldin
Visiting Scholar, Columbia University

Zaid Al-Ali
Senior Adviser on Constitution Building, International IDEA; Author, The Struggle for Iraq’s Future: How Corruption, Incompetence and Sectarianism Have Undermined Democracy

Chair: Neil Quilliam
Senior Research Fellow, Middle East and North Africa Programme, Chatham House

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**Question 1:**

I want to take issue with Zaid on the constitution being drafted in secret and with a shadowy committee who nobody knew who they were. Everyone knew who they were. The constitutional provisions were well debated. The problem was there wasn’t a consensus and there wasn’t agreement. There isn’t a national consensus and I think that comes through what the two speakers are saying. There were debates over the degree to which federalism could be considered and the degree to which centralization. If you concede a degree of autonomy to the Kurds, was it not legitimate to give it to any other provinces. So there were unresolved issues in the constitution – indeed, most of the problem is many of the issues were left to be decided by law. If I have one regret it’s that that was the thinking, decided by law would actually solve something, because there’s never been any consensus on what the law should be. So there is great ambiguity in the constitution. The constitution is a document – it will never give you the basis you need unless there is some sort of national consensus, if there is some attempt at pluralism. I agree with you – civil society needs to express itself. I used to say when I was there: elections and the rule of law, these are all important components of democracy. But unless you have a vibrant civil society, you can’t really have a democratic system. So all I would say is I think what’s required is a bit more pluralism.

I think you’re a bit kind to the Shia elite here, in terms of why the constitution’s not working. I think one of the problems I saw when I was there was equating all Sunnis with Baathists and leaving the de-Baathification commission as part of the constitution was a huge mistake. I think the same mistake is being made now in equating all Sunnis with Al-Qaeda and I think that is part of the problem. The Sunnis are becoming alienated; the moderate Sunnis feel alienated from the system. I think when your political leaders are driven into exile in Turkey and arrested, it makes life difficult. So I think there’s a bit of a need for some pluralism and for a bit of understanding that because you win elections and because you have power, you do have responsibility to the minorities. I think that is the big ask of the Shia: can you have power and also reach out to the Sunnis? I think that’s the big challenge for Iraq. I’m sorry, that wasn’t a question.
Zaid Al-Ali:

We have different views about this. Obviously you don't think it was a shadowy group because you were in that group. With all due respect, the vast majority of Iraqis do not know that the British ambassador was involved in negotiating the Iraqi constitution. The vast majority of Iraqis do not know that. They know now. It would come as a great surprise to them.

Question 1:

It was never a secret.

Zaid Al-Ali:

Okay. It would come as a great surprise to the vast majority of Iraqis that the 275 individuals that they elected in January 2005 were not the people who drafted the constitution, but in fact the British ambassador, the American ambassador –

Question 1:

They were the people who drafted the constitution. We were trying to mediate between [inaudible].

Zaid Al-Ali:

Once again, we have a difference of opinion about that. Once again, I have all the drafts of the Iraqi constitution. I’m one of the few people who have kept all the drafts. If you trace the evolution of the drafts from June to August 2005, you can mark a clear evolution of the ideas of the drafters. Then from August 2005 onwards, which is when you and your colleagues stepped in, everything changed very suddenly. It’s clear in the drafts. I set everything out in Chapter 3 of my book. I think I’m the first person to have done so. I took a great deal of effort. The marked change in tone in the constitution from June to August and then from August onwards is really remarkable, and it’s undeniable, frankly. So to argue that it was all the Iraqis doing it and you were negotiating, helping them negotiate – we have a difference of opinion, I’ll just leave it at that.
Ranj Alaaldin:
I think the issue here is one of expectation, so I'm going to come to the defence of the ambassador here. What were the objectives, when you're trying to draft a constitution in a war zone essentially? You manage to organize a referendum after that, four out of five Iraqis voted for it. I know, Zaid, in your book you dismiss that argument because you say Iraqis didn't actually read the constitution, they didn't have enough time. But even on this question of reading the constitution, I think one of the arguments is that you have the representatives of these communities seated at the table. If you disagree that they are or were the representatives, then fine, that's a different issue altogether. But if we accept that they were representative of their different communities, then that kind of deals with the issue of Iraqis not having read the constitution or having more time. Even in the question of time, how much time is appropriate for a country in a transitional phase? What is even the perfect constitution? I think that's the challenge here. What would have been the ideal constitution, especially when one particular community was – or some segments of this particular community – were dead set on undermining anything that was to be proposed in the new Iraq?

Zaid Al-Ali:
The vast majority of representatives of the Shia community, not the Sunni but the Shia community – the vast majority of them, immediately after the constitution entered into force, clearly came out and said: we reject the constitution. Only one political party, the Supreme Council for the Islamic Revolution in Iraq, which at the time was led by Abd al-Aziz Hakim, supported the federal system of government in the constitution. All the others, including the Dawa Party, including the Sadrist – who at the time were the major force in the Shia community – all came out immediately afterwards in February 2006 and said: we reject the constitution, we do not accept federalism.

One last issue is that earlier you suggested that I was arguing in favour of centralism and so on. That’s absolutely not the case.

Ranj Alaaldin:
In your book, you are.
Zaid Al-Ali:
No. In my book, if you re-read the final chapter, no.

Question 2:
My question is to both the speakers. Given that now we have a federal system, which may be contested to some degree, how do you see the division of resources, given that some areas are now getting a percentage – it’s a low percentage – of oil revenues? I think it’s now been agreed at $5 per barrel of crude that’s refined and produced, or produced and refined. Given the fact that Anbar has very few resources at the moment – we’ve got most of the resources concentrated in southern Iraq, and there are some resources obviously growing (oil and gas resources) in Kurdistan and those are the subject of a big, shall we say, argument or debate or even disagreement at the moment. Nevertheless, they have those resources. Anbar doesn’t have anything at the moment. It may have gas if exploration is allowed. How would the resources of Iraq be divided and shared equally given this federal setup at the moment?

Zaid Al-Ali:
The revenue is divided in different ways in Iraq. The first issue is the central government has its funds that it derives from oil resources and the tiny bit of tax money that it gets from customs and duties. That money – part of it is distributed to the provinces and regions that produce oil. What’s left afterwards is allocated on a per capita basis to each province. So Anbar does get a lot of revenue, just like all the other provinces do. The problem isn’t that there isn’t enough funds. The problem is that those funds that are available are either not spent or are stolen. It’s always been the way. So now, for example, Basra province is going to get a lot more revenue – at least according to the amended decentralization law – because it’s going to get $5 per barrel. But the problem in Basra has never been a lack of funds, because they never spend their full budget. They never spend it. What money is spent often just disappears. So the problem isn’t lack of funds, the problem is oversight, corruption, embezzlement, etc.

Ranj Alaaldin:
I more or less agree with that. Anbar itself – I think it was last year they signed a deal with a Korean company, I can’t quite recall – does have gas
reserves. Salahuddin province – this was also last year, it was reported by Iraq Oil Report – even went about to establish its own oil ministry, completely independent of Baghdad, which was completely ridiculed at the time. This was reported on. I think there are efforts to expand or build on what energy reserves it does have.

Question 3:
Coming back to the drafting of the constitution, in the constitution it is not just federalism and the other issues that created the conflict. The biggest issue I think is the disputed area – this disputed area between Kurds and Arabs, which is mostly constituted of the Turkmen. I would like to draw your attention to what is happening in the Tuz Khormato town. Tuz Khormato town is majority Turkmen and because of this agreement between the central government and Kurdistan, what’s happening is the Kurdish government does not allow the central government to be involved in the town. At the same time the Kurds themselves are not protecting the town. So they left the town to be subjected to the daily terror attacks. Every other day, there is a bomb attack or suicide bombers killing tens and injuring even more. I don’t know what is your opinion regarding that. Is there going to be any change regarding this area? Is it going to be these people are protected in the future?

Ranj Alaaldin:
I think the minority issue has been sidelined over the past five years certainly. Minorities aren’t getting enough –

Question 3:
They are not minorities there.

Ranj Alaaldin:
In general, the Turkmen are a minority in Iraq as a whole, like the Christians and so forth. The point I’m making is that the minority issue has been sidelined, so at the moment it’s primarily Sunni and Shia, it’s Anbar, and then of course the Kurds come into that as well, but they’re kind of going about their own business while Arab Iraq is almost exploding. I think the minority issue has been sidelined in the broader debates, which is unfortunate. That’s my opinion.
Zaid Al-Ali:

I don’t really have anything to add to that, other than that it’s a great tragedy and I realize that this tragedy exists, and I don’t think there’s going to be any improvement in the short term. I really don’t think so, because the people who are in charge don’t have the patience for it and aren’t interested. That’s my personal opinion.

Question 4:

On the sectarianism issue, how much do you think that the Sunnis of Iraq feel they are the founders of modern Iraq, and the change of balance of power in Iraq is something a lot of them haven’t really psychologically accepted? How much do you think is – the ambassador mentioned that Sunnis and Shias call them Qaeda, but some of their leaders call themselves Qaeda, like [inaudible], who says ‘I am a supporter of Qaeda’. We have a lot of Sunnis from Anbar and now refugees in Karbala and Najaf. So what I actually see is this global extremist vision of Sunni Islam, which has been hijacked by certain states, is the same problem in Iraq. It’s not really so much Sunni-Shia, it’s more extremists who are using religion from one end, and extremists from the other end being the reaction to it. I don’t know how this can be resolved, especially when this has become a power struggle between Saudi and Iran, and how we could break this deadlock.

Ranj Alaaldin:

It’s impossible obviously to gauge the perception of the Sunni community at large. There’s a difference between perception and reality – that is, whether the Sunni community see themselves as a marginalized community even if they’re not. If they perceive it to be so, then that’s equally significant. But in the long run, I think the point was made earlier on about the moderate Sunni voices. I think they’re the ones who need to be empowered more, lest the extremist elements are given a chance to consolidate their hold, to expand their influence. I think that’s probably a good place to start.

But I was speaking to an official not so long ago who told me that at the moment there are many moderate voices and moderate Sunni leaders, but there isn’t a single one or two that you can deal with and who are influential enough to, let’s say, make a difference. But I think the empowerment of moderate voices is the best place to start.
Zaid Al-Ali:
I generally agree with what Ranj just said, but I would say that from 2008 to 2011, when violence was still decreased from the high levels of 2007 and before it started increasing again, I spent a lot of time visiting tribal areas, farmland areas, very disaffected areas where people were very poor, where you would expect them to be very resentful of the changes taking place. To my great surprise, I found that they were all very optimistic about the future and that they were all very happy at their situation, and they had no problem with al-Maliki personally. Many of them even said, in these poor, disaffected Sunni areas, that they were even prepared to vote for al-Maliki at the time, because they considered him to be someone who would re-establish security, someone who was probably a national leader – although they didn’t agree with everything he had done and said. So generally he was fine.

That goodwill was deliberately ruined, deliberately destroyed – on both sides. I’m focusing, just because in your question you focused on the Sunnis, but on the Shia side also, equally, many people had goodwill and their goodwill also was deliberately sidelined, by deliberately sectarian politicians who often always referred to sectarianism in order to deflect attention from their own failures. There are so many examples I could cite, it’s really appalling when you see the way they speak to each other publicly on Iraqi television.

Ranj Alaaldin:
Could you give us an example perhaps of, let’s say, an influential Sunni politician or leader seriously advocating some kind of cross-sectarian alliance? Because I remember, I think in 2009, the provincial elections, there were reports that Maliki had made overtures to the Sunni community, but the story was that this was torpedoed by the Jordanians or Saudi Arabia, I can’t quite remember. But could you give us an example perhaps where there’s been an episode of genuine cross-sectarian political alliance, let’s say, or partnership even?

Zaid Al-Ali:
Sure, the Iraqiya alliance in 2010 was the only cross-sectarian electoral alliance, as you know, the only one. The Sunnis at the time voted for an electoral alliance that had at its head a Shia. Many people have said that was just a fiction and so on, but they did vote for it at the time. Many people on the other side voted for al-Maliki. There was a large segment of the Iraqi population, a clear majority, that voted for two political alliances that were
campaigning on the basis of national unity, of moderation, anti-corruption, etc. What was expected at the time, what everyone was hoping for, was that those two alliances would merge – or not merge necessarily, but form a government. Instead, that never happened. Instead, it was de-Baathification, it was more corruption, it was more sectarianism, it was more human rights violations and arrests, etc. That’s what we got instead.

Ranj Alaaldin:
Out of the 91 seats Iraqiya got, 12 of them came from the Shia south.

Zaid Al-Ali:
But how many of those seats came from [inaudible], you’ll never know.

Ranj Alaaldin:
You mentioned that it included a Shia leader, Ayad Allawi, but I think it’s well established that Ayad Allawi is seen as the more preferred Shia. He’s less Shia than the others. And secondly, an individual or a politician who in Iraq’s previous elections I think came third and then was nonexistent in the next – the 2005 elections? But can you seriously call Iraqiya a cross-sectarian party given that reality? Because I was in the south in 2010 and I’d speak to people in the south, I’d ask them: who would you vote for? And they’d say Allawi. So I think that vote was for Allawi but not necessarily for Iraqiya. I think this distinction has to be made between Iraqiya as a bloc, its identity being primarily Sunni Arab, and its figurehead Shia leader, Ayad Allawi. Whereas elsewhere would be votes for the Dawa party, State of Law. I think that distinction is important. Because Iraqiya’s core identity is Sunni Arab, that’s the essence of the point I’m making.

Question 5:
The Kurdistan region has been mentioned in passing, almost as if it’s another country. Of course, it is a distinct part of a federal Iraq. I just wanted to invite both of you to imagine where Kurdistan is going to be. Can it dynamize as a gateway to the rest of Iraq as a whole? Will it stay, can it stay? Does it want to stay? Do people in Baghdad wish it to stay? Is it feasible for it to go? And the new relationship with Turkey, how is that going to change that possibility, as the pipeline gets going, Kurdistan becomes a net contributor [inaudible]. How
do both of you see the next five years for the future of the Kurdistan region in Iraq?

**Zaid Al-Ali:**
I would prefer the Kurdistan region to remain part of Iraq, mainly because I'm concerned about conflict. I don't see that the Kurdistan region has a lot to gain from separating from the rest of Iraq, particularly because the risk of conflict is very high. Separation without conflict is going to be very difficult, and I would prefer for there to be no more conflict between those two peoples. That's my main concern.

Another reason why is from a purely human perspective. I don't see why we can't live together. I would consider that to be a failure of the human spirit, if we weren't able to resolve our differences. I think we can and we should.

Something else is that many people don't give this enough credit – since 2003, Iraqi Kurdistan is much more a part of the rest of Iraq than it had been ever in the past probably. The amount of exchange that takes place between Iraqi Kurdistan and the rest of the country is much greater than it's ever been. You have people that are flowing into Kurdistan on holiday, to work, to have operations done, to relax, to own property. Many people from [inaudible] own property in Iraqi Kurdistan. That's never been the case before. There's a lot more respect towards people in Kurdistan as well. Previously racist jokes were very common – now they're very rare.

That exchange has changed the relationship between the two areas and I think that's something that can be built upon, and I think it should be built upon. Whether or not it will and whether or not Iraqi Kurdistan will split apart, I really can't say. That will depend on dynamics that one really can't predict. But I would say that it would be a shame if we weren't able to live together in the future.

**Ranj Alaaldin:**
I think Kurds are essentially concerned with making sure Iraq doesn't go back to the past, where the Kurds paid dearly in the hands of a brutal dictatorship in Baghdad. So they're concerned with the past, they're concerned with the present, because they want to build and continue to build on their economy, their vast energy resources. They're concerned about the future because of the regional volatility. I don't think they'll choose independence any time soon. It will always be on the table as an option, and only if the regional climate, the
domestic climate in Iraq, requires it. But again, you mentioned Turkey – it’s highly unlikely Kurdistan would ever declare independence unless it had the patronage from Turkey.

**Question 6:**

I know my question is geared toward yesterday’s stories, but it’s something that’s been bugging me, and it’s something that affects my thinking – also talking about the past and how that affects us indirectly. I was, in my previous life, ambassador in Washington during the Iraq invasion. If my professors were to look at the cables that I sent from Washington back home on the situation on Iraq, I’m sure they would take my degree back, because I did not exercise any critical thinking. In the end, it turned out there was so much spin and hype, where people did not really know what’s going on. So much information and disinformation happened. Are there any lessons that would come from there for the future? I was looking at some things with a sense of déjà vu in the case of Iran. Thank god it hasn’t moved in that direction. I do not know if it will move in the future. We are talking about empowering civil society – just as we need it for Iraq, we need it here as well. So why should the civil society here – or in Iraq for that matter – should accept what is said at face value when many of the players simply lost every credibility in spoonfeeding the people their own thing?

**Zaid Al-Ali:**

I think we have a major challenge, as I already mentioned before. I’m not optimistic about the future. When I mentioned civil society before, I didn’t mean to suggest that it was the solution that’s going to bring prosperity to Iraq. What I meant to say was that civil society is the only hope currently that we have, because the politicians have failed us, our system of government has failed us, the international community has failed us – when you have our prime minister being lauded around the world despite the terrible abuses that take place in the country. Incidentally, when you say he’s the most popular politician in Iraq, I don’t know on what basis you get that from.

**Ranj Alaaldin:**

The previous elections.
Zaid Al-Ali:
Okay. In the 2013 elections he didn’t do so well. So we really don’t have many options left, and the only option left that I see that could have any type of role is the little success that we’ve had, that we can build on, from civil society. The only positive developments that have taken place have come from civil society. So therefore let’s build upon that and try to get a little bit more ahead in the right direction, through a more generalized strategy, as opposed to just targeting specific issues one by one. That’s the only hope that I can see, not for the next elections – the next elections, for me, I’ve completely written off. It’s for 2018. That’s what I’m setting my sights on.

Ranj Alaaldin:
Perhaps I’m too sceptical, or even cynical, but this idea of having a grand solution for Iraq – I think it’s healthy to have a debate and discussions but I’ve yet to receive a convincing proposal as to how you bridge the gap, the animosity which I referred to in my presentation. I think that’s essentially it. This is the foundation on which the post-2003 violence and conflict took place. Until that’s resolved, civil society initiatives, anything else beyond that, is just ancillary.

Zaid Al-Ali:
The civil conflict that took place between 2005 and 2007 was much more violent than what’s taking place now. Levels of violence three or four times higher than they are now. Yet after that terrible episode of violence, from 2008 all the way to 2011, there was a spirit of national reconciliation in the country – undeniable.

Ranj Alaaldin:
As I said in my presentation though, there was a tactical retreat – again, I think this is one of the misconceptions. The civil war didn’t suddenly, magically end after 2007. As I said earlier in my presentation, there was a retreat on the part of one community. I was careful to point out that the other side did not win any conflict. They simply contained the violence from the extreme elements emanating from the Sunni Arab community. It didn’t end there.
Zaid Al-Ali:
You’re talking about the armed elements. You’re talking about the tiny percentage of the population that’s actually participating in the fighting. I can’t speak about those people, I don’t know how they’re going to be behaving. I don’t know whether they’re all going to get crushed or killed or so on. What I’m talking about is the 98 per cent of the population who are willing to reconcile, who would be very happy to live in the same country, who would be happy to see a more prosperous country for themselves.

Ranj Alaaldin:
I agree.

Neil Quilliam:
On that note, I’d like to thank both speakers for sticking to the time – that was fantastic, both of you stayed within your 13 minutes and gave very clear presentations. You’ve been a dream to chair because the spark here has been fantastic. You should feel the electricity, it’s magnificent here. So if you could just join me in thanking our speakers.