National Reconciliation in Iraq

Reality & Horizon

Prelude

National reconciliation in Iraq represents the second non-Western Arab application of a reconciliation endeavor following Morocco's Justice and Reconciliation effort. Due to its relative recent application and the problems it has faced and is still facing, it was necessary to examine this effort in analytical detail, the NGO Coordination Committee in Iraq (NCCI) and Iraqi Al-Amal Association (IAA), supported by the United Nations Development Program (UNDP), assigned a number of scholars to conduct an extensive study that spans several central issues, the study addresses the roles official and unofficial political and civil institutions play in the process of reconciliation, their positions toward reconciliation and their accomplishments within its framework. This book is a complete content of those studies, which we hope to have met their desired objectives in the most objective and precise manner possible in an attempt to attain the desired benefit in serving Iraq and Iraqis.

Reaching common ground in perceiving reconciliation is one of the most important factors that sustain the efforts to build and maintain peace. The objective of studying reconciliation in Iraq is to get a comprehensive understanding of the peace-building and reconciliation process in Iraq, its achievements, the problems it faces, and outlining a future perspective based on a precise diagnosis of its achievements, objectives and planned efforts of governmental blocs and Iraqi parties under reconciliation and peace building processes.

Foreword

"If we say that the past is gone and forgotten, then we embarrass ourselves. The past is still there, and if we hadn't done what we've done in the Truth and Reconciliation Commission, then it can return. Our past is a monster, and we must confront that monster face to face, or it will come back to haunt us."
-Desmond Tutu Archbishop, Head of the Truth and Reconciliation Commission in South Africa

National Reconciliation efforts helped draft the outlines for many nations' futures, and Iraq is not an exception to this rule. Reconciliation is a large-scale, essential process in a nation's history, and is a historic milestone that must be prepared for meticulously. Many parties must be involved, including governmental, judicial and legislative institutions, media, and non-governmental organizations, national reconciliation necessitates the presence of efficient patriotic personalities that can run negotiations and build confidence amongst the rivals.

In many parts of the world, reconciliation came to mean, more or less, boldness in confronting the past, this is especially evident in states which experienced racial discrimination regimes, violent totalitarian regimes or civil wars, examples of such states include South Africa, Chile, Uruguay, Argentina, Cambodia and Yugoslavia. A close-up examination of those experiences would give us an idea for the presence of several important common characteristics, in spite of the different approaches adopted which is the natural consequence of different cultures and customs.

Many of the states which witnessed terrible human rights violations formed truth committees during their respective phases of transitional justice, those committees aimed to help society confront unpleasant memories while marching towards a better future.

The eagerness of peoples to discover what happened to them is expressed in the desire to learn the truth and to set the record straight, it is the right of victims to express respect for them, to have their suffering recognized, and to compensate them and their families. Facts must be established to prevent the reemergence of terror regimes.

The moments of confession in South Africa's Truth and Reconciliation Committee was described by St. Tutu as nightmares, while the bitter moments of regret and apology eventually led the National Party which led the racist rule of the white minority to permanently dissolve itself, in an attempt to

escape the blemishes of its dishonorable legacy. Nevertheless, it is a courageous moment of sincere apology that many political groups and parties all around the world should aspire to have so as to be able to draw a firm line between a shaky present and a bloody past.

True reconciliation is a complex intertwined process with many elements and factors to consider. Reconciliation does not mean the imposition of an artificial environment that forces victims to forgive and forget and finds suitable pretexts for criminals and convicts to escape their liability. It is a pressing need to enable societies to transcend tribal and personal vendettas and to attain results superior to those of criminal courts which often tends to punish the criminal and ignore the victim.

The experiences of several peoples have shown the benefits of the application of a transitional justice phase. In essence, it is a process which adopts a forward-thinking perspective that is concerned with the restoration of convicts as productive members of society following their reformation and admittance to full responsibility to their actions, and compensating the victims of those wrongdoers. Sincere efforts must focus on tackling issues left over from the past, with defined victims, culprits and reparations, and procedures that seek to fully disclose facts and state what really took place.

All can look towards a new beginning, through which we can begin to restore civil peace. In 2004, the United Nations considered "justice, peace and democracy" as mutually dependent concepts, with "peace" needing firm confidence in the future.

Some advocate the application of Restorative Justice, which takes an alternative approach towards offense that is primarily concerned with tending to mistakes and to compensate the victims for their damages, while lessening future potential for tragedy in the future through preventing new crimes from being committed, restorative justice is evidence-based, and it aims to achieve healing by letting both the victim and the culprit overcome their mutual incident, this objective maybe accomplished through a suitable reparation, monetary or otherwise, the wrongdoer is hereby reconciled and is assimilated into society, restoring social cohesion.

Restorative Justice emerged as a reaction to Punitive Justice which is based on punishment and retribution, according to which the state must pinpoint the culprit and then impose punishment. In this system, punishment is the only method for the victim to overcome its catastrophe; it also inflicts damage upon the wrongdoer in a classical eye-for-an-eye system. Punitive justice considers the state as the victim, but Restorative justice considers the person who has been assaulted as the primary victim. Punitive Justice focuses upon the assault (the past) while Restorative seeks to repair what has been done (the future). Punitive justice is unconcerned with the true needs of the victim and the wrongdoer, viewing the issue as largely a violation of law, while Restorative Justice regards it as a breakdown in humanitarian relationship between those involved.

In regards to reconciliation in Iraq, which is the topic of the studies and articles presented in this book, important issues were noted by observers tracking the progress of reconciliation. Those include the emergence of several factors that prevent the realization of a comprehensive national reconciliation, some of which are related to the definition of reconciliation itself, disagreement over which parts should be allowed participation and which are not, stating the reasons behind the selection, whether it's necessary to form truth committees and listen to the testimonies of victims and culprits simultaneously, the impact of broadcasting truth committee sessions on the public, and whether it's possible to practically skip the phase of transitional justice while achieving a comprehensive form of national reconciliation that satisfies all sides.

The esteemed contributors of those studies and articles attempted to highlight the concept of reconciliation from a variety of perspectives, their efforts have added considerably to the topic of national reconciliation which is still in need of more detailed studies and research, especially through studying the experiences of countries that have endured what we're going through and have successfully came out of its dark clutches in a healthy and organized fashion.

National Reconciliation
An Analytical Approach from a Sociopolitical Perspective

Dr. Abdul-Salam Ibrahim Baghdadi

Foreword

The entire intellectual, let alone the political, cultural, social and philosophical spectrum appears to be preoccupied with the concepts of national reconciliation nowadays. Such concepts include civil peace and harmony, national unity, social integration and several other synonymous terminologies that imply the principles of forgiveness, amnesty and justice. This preoccupation is not limited to a particular country, but it covers an wide range of countries that have witnessed or are still currently witnessing a form of conflict or a variety of civil war amongst its ethno-political components (due to ancestral or cultural antagonism.) Some argue that those reconciliation concepts can be the basis for a phase termed 'transitional justice,' a phase necessary to a united society that is passing through a stage of civil, security or political turmoil as an inevitable gateway to rebuild the principles of modern state on true democratic foundations. Examples include the Republic of South Africa, Angola, Northern Ireland, Chile, and Peru. Earlier instances include Spain and France during and following World War II.

This analysis will attempt to answers questions related to the meaning of reconciliation, its synonyms and the connotations, frames, and significance which they collectively imply, it shall examine whether reconciliation is viable option regardless of time and place or is restrictively bound by a certain period and environment, and ultimately, whether reconciliation is a promising endeavor to follow or is a waste of time and effort.

Answers to those questions lead us to state the hypothesis of this analysis, that: "reconciliation is a viable choice that is possible to achieve in all eras and regions, especially in countries that have faced, or still face, ethno-political tensions. Although difficult and often laborious, the path to reconciliation can be navigated by a collectively united, sincere effort. Those involved in reconciliation must maintain optimistic patience, and always keep a hope for a stretch of land that can accommodate all regardless of sect or color."

Before attempting to verify the validity of this hypothesis, we must first describe in detail the concept and dimensions of reconciliation and its synonyms such as civil harmony, civil peace and etc.

Reconciliation: an Introductory Definition

First and foremost, reconciliation is based on acceptance, or the dissemination of acceptance among a single society's strata regardless of whether this society is homogeneous or heterogeneous. Acceptance signifies the desire to co-exist, cooperate, and integrate amongst people of a society, and it can only be achieved through expanding cultural, political, administrative and economic participation to involve all members of society. This means that one of the most important aspects of reconciliation is based on bridging, not erecting walls. As it is understood by the words of a late scholar, reconciliation means affirming shared culture, or "revering common denominators and toleration of differences." Others approach the concept of reconciliation as an effort oriented to peace. To quote the Algerian thinker Malik bin Nabi, social harmony is "a state of peacefulness and harmony within society itself that dominates the relationship amongst its strata and powers," the network of relationship between a society's strata and powers are integral to the success of the society. Hegel, the well-known German philosopher, and a prominent state advocate who voluminously studied the concept of forgiveness and reconciliation, said that: "the circle of forgiveness can expand to stand everything but crime against thought, i.e. against the ability to reconcile which forgiveness promises.)

Some might also approximate reconciliation as the tolerance of difference and deversity, it has been said that "the history of mankind is rife with civil wars, which was a hallmark of even the most advanced, most democratic societies today. All have learned that the path of warfare, marginalization and rejection of others is one that can only lead to tragedy and catastrophe. We don't know if the groups who are too busy planning their own private affairs will shoehorn their societies to experience this tragic cycle to reach the eventual conclusion that a society cannot thrive and prosper without sharing interests, concession and tolerance of difference.

To amalgamate all those views, reconciliation comes to mean: Attaining a state by which no subgroup remains an entirely independent political actor that refuses to partner with others who belong to different subgroups within the umbrella of a single country. Such subgroups will often prefer to focus inward, preventing or warning members against leaving or dissenting. Reconciliation is a collective embrace that urges all subgroups to undermine the possibility for civil strife that only brings destruction and chaos.

The achievement of reconciliation stipulates:
1. The presence of mechanisms and regulations that prohibit the emergence of an ethno-sectarian, or regional, political system, prohibiting the entrenchment of sect, race or ethnicity in society *i.e.* the prioritization of sect, race or ethnicity as a supreme identity over the uniting national identity of the country that embraces all groups and minorities. In its present and future dimensions, reconciliation is the

affirmation of national identity over any other affiliation, but not necessarily the rejection of one's religious or ethnic background. Naturally, patriotic loyalty is strengthened if the government is built on sound principles of justice and equality, without discrimination under any circumstances. Reconciliation also necessitates the presence of bridge-building mechanisms amongst society members that prevent local identity entrenchments. The presence of multiple sects or ethnicities inside a single society (i.e. people of a country) does not necessarily lead to tensions or civil war. It is war that produces discriminations of sect or ethnicity promoting hostility and extremism. The avoidance of such a war through all possible means preserves the unity of society regardless of the variety of its subcomponents. It also develops the capabilities of its members in conflict resolution through sustainable interaction and dialog. Sustained civil tension or the outbreak of civil war would lead eventually to the transformation of said subcomponents into combative military outposts that are on war with each other, and the longer the war continues the wider the gap between those copating groups, and the greater the chances for separation. On the contrary, subgroup identities entrenchment recedes at times of political stability and civil harmony, leading to the emergence of patriotic sociopolitical figures transcending ethno-sectarian barriers in the interest of the greater group (i.e. *the collective people*), lessening tensions, healing wounds and closing gaps that resulted from civil violence. National reconciliation and national loyalty become popular choices when citizens all feel equal without discrimination according to religious, cultural or ethnic bias. Equality will encourage people to keep their secondary affiliation (religious, cultural, or ethnic) within their private lives, and to adapt wider social norms for their public life as long as their narrow secondary affiliation is not rewarded by any political, financial or social distinction in the public life. This will encourage the majority of citizens to choose a cross-sect, cross-ethnicity identification that may even abolish those secondary identifications. On the other hand, favoritism of a subgroup within the country against others prompts the others to adopt a narrow-minded awareness that champions their secondary affiliation over the patriotic whole, members of the subgroup will ally with each other to increase their clout in public life, either to attain gains or at least to stand together or minimize losses, this is how sectarianism, racism and any other form of close-minded ideologies grow to be popular. The abolishment of favoritism will certainly diminish the influence of ethno-sectarian propaganda, provide the foundations to build a solid national unity through an institutional framework that guarantees reconciliation, harmony and accord under the protection of laws that warrant active partnership and participation as part of a democratic competition that gains unanimous acceptance for the ruling political system and its enveloping social framework, not only for the equality it provides everyone before law, but through their participation in drafting the law itself.

2. Promoting dialog, the acceptance of others' opinions and transparent interaction, the denouncement of armed violence, hostility and demagoguery, strengthening the concept of a country for all, regardless of ethnic or religious background, with strong humanitarian and patriotic linkages that promotes peace, forgiveness, cooperation and peaceful transfer of power in an institutionalized state that conceives political and regulatory frameworks in a democratic fashion. This indicates that reconciliation requires the promotion of peace, tolerance and openness, the bridging the gaps between various social components, belief in intellectual, political, and religious pluralism, belief in the state of law, constitution and peaceful transfer of power, rejection of all forms of violence, extremist ideologies and social oppression of any kind, belief in transparent democratic dialog and the freedom of speech and expression, adopting open debate, holding general conferences and seminars to discuss several issues of relevance to national unity, and stressing the formation of a humanitarian approach to civilian awareness that is based on belief in the culture of peace and the realization of that belief.

Reconciliation Aspects

Having discussed the concepts of national reconciliation, its synonymous terminology, and its procedural prerequisites, we are still in need to explain the meaning and aspects of reconciliation and its synonyms, especially the political and social aspects.

Social Aspect

Many of the widely-used terms nowadays require a precise definition of their meaning and connotations to establish good social awareness of those terms. The usage of those terms without realizing their proper significance distorts their content and renders them suitable for narrow ideological employment. One of those terms, which are related to the social aspect of national reconciliation, is tolerance.

Tolerance, and its cultural and political accessories, is a term of ubiquitous usage by all ideologies today to indicate a factor necessary to the emergence and stability of developed society. This makes it necessary to define its meaning, content and roots, and to illustrate its position in the hierarchy of social principles and values. Tolerance expresses an intellectually liberal, understanding vision or attitude towards beliefs and practices that are contrary or opposed to the beliefs and practices of one's person. This vision/attitude is acquisitioned by a fixed standard towards a certain pattern of actions that cater towards a definable goal. The majority of people perhaps have basically a similar understanding of the term 'tolerance' without any additional explanation necessary. While some have a dim perception of tolerance, most opinions view tolerance as having a positive quality, either inherent (whereby tolerance is positive per se) or relative (whereby tolerance is positive as compared to other alternatives) *i.e.* regardless of whether tolerance is an objective or an approach towards an objective. While pro- and anti-tolerance groups lack epistemic justification for or against tolerance,

rendering their difference a matter of preference, both groups cannot possibly expect of their adversaries to change their views; neither can expect this from themselves. Tolerance indicates accepting 'the other' and participating with him, but it is not 'a communal amnesty for repentant outlaws or violators of major values, it is a final and complete acceptance of the different other that puts him as a complete partner, and not an appended footnote that serves as window dressing. Some view the Arabic translation of the term 'tolerance' (*tassamuh)* as misleading, as it indicates going easy on others, and a nonchalant attitude towards their beliefs and practices, which they say indicates evasion and indifference to what others do and say, they suggest the translation of (*tahammul wal mudaraah)* as the word's root carries a meaning of patience and forbearance, to forbear others is to force us to accept them the way they are, and to acknowledge their right to be the way they are. The words 'forbearance' and 'appeasement' contain a sense of self-restriction, a forbearing, patient person recognizes the presence of others and officially acknowledges them, but he restricts himself in self-imposed boundaries upon meeting them, the endurance of others will be superficial unless the practicing person has the philosophical perception of his inability to attain the ultimate truth in any issue, political or otherwise. When tolerance is based upon this, it can truly become a political and social backbone to the rights of 'the others'.

Tolerance can only be genuine when constitution writers, politicians and lawmakers realize that they don't possess the ultimate truth, recognizing the political and social rights of different others based on the acknowledgement that all human beings must enjoy equal rights based solely on their humanity, regardless of their beliefs, practices, behaviors, moral codes and religious beliefs. Tolerance is superficial when not coupled with the philosophical perception of the fact that no individual or group can alone attain the collective truth in all issues without the partnership of others, otherwise, differnt 'others' are considered to be astray, who must be put up with out of necessity. We can see several examples of superficial tolerance in the world where a majority in a particular society sets certain rights, liberties and distinctions for itself and denies them for minorities, who only get limited rights and liberties, as the majority believes that minorities must conform to the majority's community anyway; with social life necessitating their having a limited degree of rights and liberties. Tolerance can only be truly achieved from a sociopolitical aspect when the constitution recognizes human rights and liberties in their modern context, admitting the positive nature of having deversity in political, social, cultural and ideological beliefs regardless of their values. This admittance lends respect to the inherent sanctity of humanity that is at the heart of human rights, this is different from convenience-driven respect which is usually shown by a person who does not even recognize human's inherent sanctity and refuses the recognition of human rights as an untouchable, irrefutable principle, this person might allow some liberties out of political necessity, and would prohibit them afterwards, he may be respectful of minorities but often not, and when he allows liberties it is done with a stroke of arrogance, as if to say: We've given you those liberties, and have considered your rights, but you live in the shadow of our mercy, this approach cancels the significance of tolerance altogether.

True sociopolitical tolerance can only be achieved when authority, in the full sense of the word, is protective of a *freedom-oriented regime* and not watchful of a *truth-oriented regime*, two entirely different concepts. When authority sees itself as a protector for a freedom-oriented regime, it allows thinkers and scholars to debate, discuss and take sides in complete security and safety. On the other hand, if power considers itself as a protector of a certain interpretation of a set of disputed facts, regardless of the nature and content of those facts, the society it governs will not be able to experience sincere sociopolitical tolerance as power will force everyone to adhere to the set of facts it adopts regardless of their validity. To tolerate people who have different beliefs and values from the mainstream will only be out of convenience in such a society. Authority can impose its opinion upon others with all sorts of methods in this society, if it cannot do so for any reason; it makes a calculated concession in accordance to convenience and circumstances, creating an imperceptible, everlasting struggle between the state and those who subscribe to different, 'rogue' beliefs. Sociopolitical tolerance requires the freedom of expression and criticism without pressure or threat. This point in particular appears to be of great importance especially in our societies where a difference in belief plays a great part in instigating conflict.

Finally, reconciliation means 'the freedom of choice, the rejection of adherence to extremism and the transcendence beyond bloodlust and murder, to forgive those who did wrong as law will set matters right, to adopt a mode of rational dialog when disagreeing with others, and to reject the destructive desire for vengeance. We should distinguish between the virtue of tolerance and granting freedom, tolerance rejects the interference or domination of others behaviors and beliefs. While this sounds identical to the meaning suggested by 'granting freedom', it differs because a tolerant person does not embrace the truths of the ideas that he tolerates, and has a potent ability to suppress them but shies away from such an option in full awareness, it is a positively effective concept that expresses ethical concern and recognition of moral relativity contrary to granting freedom.

In conclusion, it can be said that there is no tolerance without difference, as tolerance is the fruit of a long struggle to shape a dynamic society, environment and content that constantly revises itself, it is a privilege that societies earn when they are fully engaged in a pluralism that runs on several levels and aspects. Some suggest that tolerance can only be achieved between individuals, who are 'the only ones capable of tolerance, with their tolerant or intolerant behavior reflected through words, actions or socio-legal resolutions of any nature (political, economic, judicial, international, etc.)

Islamic texts have an abundance of terms such as forbearance, gentility, forgiveness, ease and adaptability, all are approximations in form and content to the widespread indication of the term 'tolerance', which signifies a balanced synthesis of objection and acceptance, so that values which are opposite in belief or thought to one's person cannot lead to war and excommunication. At its core, tolerance is an objection, but an acceptance of difference simultaneously. Al-Sadiq al-Mahdi says that during a survey he found out that 'the Quran has over one thousand verses that call for freedom of opinion,

ideology and doctrine, and that stress the individual accountability of a person in the eyes of Allah. However, those facts are realized by only a few people.' Commitment to the general values of tolerance appears to be a foundational guideline for the moral code established by Islam through principles such as gentility, altruism, amnesty, forbearance, friendship, good words, charity and sincerity. Forbearance necessitates acceptance, ease and adaptability require coexistence with people of different beliefs and orientations, and gentility requires practicable civil interaction. Examples of tolerance-oriented verses from the Quran include teachings that encourage gentle behavior with adversaries in the hope of winning them over 'Repel (Evil) with what is better: Then will he between whom and thee was hatred become as it were thy friend and intimate,' encouraging good ethics with all people, praising those who favor public over personal interests : 'but give them preference over themselves, even though poverty was their (own lot)', the call for justice and charity under all circumstances: 'Allah commands justice, the doing of good, and liberality to kith and kin, and He forbids all shameful deeds, and injustice and rebellion: He instructs you, that ye may receive admonition.' Justice is the principle code in Islam that binds together the collective virtues fused with the spirit of tolerance. Tolerance is not the ultimate principle because its content is not sufficient to build an ethical system that achieves peace among mankind. Despite tolerance's positive traits, in the long run, to quote Burhan Ghilyoon, a professor of political sociology at Le Sorbonne, it necessitates positive values that bring together groups and encourage interaction.

With the heightened sense of international integration effort led by globalization, and the widening civilization gap on political, cultural and economic levels, the need for justice has increased exponentially. Justice, as a set of values prompts humanity to overcome personal grievances and narrow identifications that lead to tyranny and oppression, committing to the prerequisites for tolerance is the bridge to attain the desired value of justice. Islam's stress on the great role of justice approximates this ever-present humanitarian struggle to enshrine the sanctity of Justice; it is suitable here to quote the preeminent Chinese philosopher Confucius: "If we live in a country of justice, then we can adorn the cloth of glory and honor modesty, enduring our grievances with steadfastness."

Perhaps what stresses the need to embrace tolerance is the natural trend of human beings to be different; this inevitable trait does not necessarily entail hostility, but could be interpreted as a call for positive interaction and cooperation as it's not based on sectarian, tribal or ethnic favoritism, it is a divine design that encourages interaction, partnership, and coexistence by which a system of life is realized. Thus, all religions oppose any form of preferential treatment based on human characteristics, with preference only be awarded according to merit. Allah Almighty says "O mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that ye may know each other (not that ye may despise (each other). Verily the most honored of you in the sight of Allah is (he who is) the most righteous of you"

Peaceful coexistence forms an entry point towards thought-enriching dialog and to avoid pitfalls that prevent the establishment of a cohesive, tolerant

society that is guarded by the sanctity of its law which respects human dignity and rights. Social and humanitarian coexistence is based on the concept of mutual acceptance by all parties concerned to maintain their principles and practice their beliefs. This is what sound judgment advocates, and what partnership in a single society necessitates. Imam Baqir says: "Coexistence is the upholder of people's conditions". It is the responsibility of all, even though leaders face a bigger responsibility, in accordance to the prophetic narration: "The best of rulers is the one who unites the dissidents, and the worst of rulers is the one who sows discord amongst the united." Clerics uphold a big responsibility in promoting coexistence and denouncing extremism, Imam Ali says: "Allah -most high- has never blessed those in discord, not in the before times and not in what's left of time." Imam Jaffar al-Sadiq says: "Do not be hostile to people on basis of your religion, for hostility sickens the heart."

In the Western world, tolerance as a concept was borne out of the problem of religious coexistence. One of the founders of liberal philosophy, philosopher and political scientist John Locke (1632-1704) considered tolerance as the only rational solution for the sectarian problem in the Christian faith. With the development of social and political life in the West, tolerance eventually emerged as the backbone for liberal philosophy, whose adherents believe that tolerance addresses issues of politics, race, ethnicity, nationality, and gender, and can be used to approach the increasing differences between mankind. In Western philosophy and experience, tolerance was the answer to the issue of sectarian differences which plunged Western Christian nations into ages of darkness. Tolerance began early in Europe, and its positive influence was quickly reflected on communal strength, sturdy state foundations, entrenchment of democracy and the promotion of coexistence amongst the general populace. The first tolerance law was issued in England in 1679, it was further complemented by the civil rights declaration of 1689 and the Habeas Corpus law which states that detention is unlawful without a trial resulting in a conviction of guilt, equality was granted in rights and duties even for British citizens who did not follow mainstream religious institutions, those citizens became entitled to nominate for parliament and to erect houses of worship that do not follow the official church. However, Jews and Catholics waited until 1829 to enter the House of Commons because they were unable to swear the parliamentary oath before it was finally amended. Today British MPs are of a variety of religions that exceed twenty in number, but as citizens they are all loyal to the state's political system which is based on ethno-cultural plurality and freedom of belief and expression. Locke had explained in detail in his introductory memo for Tolerance that the governments will only be legal through public consensus, and the public has the right to pass a vote of no confidence against any government that threatens its basic civil rights. In his book entitled "Perpetual Peace", German philosopher Immanuel Kant (1724-1804) writes about 'the rational desire for peace to envelop all people and states. Simply put, wars have proven futile and incapable of resolving any dispute. Moreover, any war – regardless of significance, is based on wanton destruction that restores man to a bohemian form, eradicating not only man's physical achievements, but his spiritual, cultural and moral achievements as well.' Kant believes that peace can only be achieved through active laws, going on to say 'Peace amongst nations, and individuals, is the only state by

which all matters can be settled rightfully in accordance to a system of justice protected by laws and applied through the medium of a public that is open to debate, united under that system. The foundation for such a system (law, or constitution) cannot be entrusted to the experience of whatever has been found to be a standard of rationale at the time, but must be deducted rationally through reason from the ultimate values that govern a public gathering by general laws. In fact, all the aforementioned examples signify an essential concept that is hard to refute, a good system is one where authority lies in law and not in person.' Embracing critical rationalism, tolerance and coexistence will lead into the emergence of the Open Society that 'embraces various opinions, entrenches laws and institutions that allow people of various orientations and visions to live together in peace' to quote Carl Bobber, this position reflects his adoption for a rationally moral choice that promises freedom, peaceful power shift and acceptance of various opinions which can be freely examined and criticized. This open society is the diametrical opposite of a closed society dominated by powers claiming to possess an absolute truth which it attempts to impose forcefully; such a state has a stern dogmatic attitude that is irrational and immoral, with its society static and lacking in competition. Carl Bobber, who remained a believer in democracy, open society and the need of state intervention to face rational and moral liberalism continued to struggle for an open, pluralist society with modern values that reject intellectual stasis and totalitarian tendencies that lead to the formation of the worst social institutions ; political oligarchies. Bobber says: "It is commended of one to say: I might be wrong, and you might be correct. If both share this view, this will likely be enough to attain mutual tolerance and a healthy society." He adds: "Through our rational understanding of matters, we might rectify some of our errors, and attain a closer position to the truth." Bobber recalls a saying of Voltaire which expresses the essence of enlightenment tolerance: "What is tolerance? It is an inevitable result of our human action. We are all weak, fragile and prone to commit errors. Let us forgive each other and tolerate the insanity of each other. This is the foremost principle of the nature of man and human rights in their entirety." Philosophers have debated the highest possible degree of tolerance. Jacques Derrida debates the meaning of forgiveness, whether it's possible, and what its limits are: "Forgiveness knows no limits and it not measurable, there is no room for moderation in forgiveness, which should be natural, not quantifiable or adaptive, but exceptional and unnatural, bordering on impossible, as if intercepting the regular time continuum. To approximate the concept of forgiveness, this necessitates the recognition that there are issues that cannot be forgiven. But then again, is this not the only thing truly in need for forgiveness, if we can only forgive issues that seem to be forgiven, a concept the church names "non-deadly sin", a minor sin, then the idea of forgiveness itself crumbles. If anything necessitates forgiveness then it's embodied in what religious terminology terms a 'deadly sin', the most heinous crime or offense that is unforgivable. This is the cruel, merciless paradox: Forgiveness only forgives that which can be forgiven, and we cannot truly forgive, in fact there is no concept of forgiveness to speak of unless we are discussing the unforgivable. Thus, forgiveness can be declared as the impossible itself….some condition forgiveness with the public repentance of the guilty, who promises to reform and pledges forgiveness, changing accordingly to this

commitment so that he becomes not the person who committed the error or crime….but is it appropriate, in this case specifically, to discuss an issue such as forgiveness? It is a forgiveness that does not forgive sin, and we ought to forgive the sin and the person guilty of that sin, so that both maintain an image without reflection, able to return again in an unforgivable form, without change, improvement, repentance or promises. Forgiveness ought to be directed at that which is unforgivable, an unconditional forgiveness." In fact, the issue of forgiveness is relative to the unique culture of concerned groups, the circumstances of the country and the phase the country is passing through. There are many recent practical examples to cite. Northern Ireland, South Africa and Angola all witnessed violent civil upheavals. Other countries passed through intense political crises that almost instigated civil war, those include Peru, Chile, Cambodia and others; however, they came out relatively unscathed and their cases are worth studying. In conclusion, the discussion of forgiveness in the West's scholars and experience recalls the Quranic verse: "If ye forgive, then it is closest to God-fearing."

Intolerance
Just as tolerance, intolerance has been present since the beginning of times, with its own culture and philosophy. Cultures in all epochs and eras created different forms of intolerant discrimination between human beings which renders it hard to prove that intolerance is linked to a certain culture, civilization or religion. Intolerance is: "the dehumanization and demonization of 'the other', viewing him as astray, infidel, immoral, indecent, or metaphysically corrupt." Bobber defines intolerants as those who "attempt to promote intolerant ideologies, which adhere to the principle of removing all those who uphold different views through force, and regards dissidents as criminals." Intolerance is a threat to national reconciliation and civil harmony, it can be manifest in different ways, potentially resulting in:

1. The difficulty of progressing from domestic to civil society at a time where such an upgrade is a focal prerequisite to attain civil society and political modernity in its democratic and institutional dimensions. Civil society is still weak and marginalized for many reasons including the fragility of state whose presence is integral to guarantee the creation and development of an influential civil society. Arab states are not states per se but rather a presence of authority, this is the primary weakness preventing the emergence of civil society. To transcend domestic community – a symbol of the backwardness of state - is a benchmark for the level of development in civil society and democratic progress, a modern political system based on democracy, elections, human rights and tolerance cannot thrive in the presence of excommunicative cultural, tribal, ethnic or regional hierarchies. Those hierarchies are part of a cultural heritage that is firmly established in our society, hampering any developmental project with modern civil objectives, the state remains backward, unable to provide any role in building modern institutions transcending ethnic and cultural fault lines and promoting a culture of tolerance, respect and partnership. In such a climate, civil institutions will back down to allow the domination of

sect, tribe or ethnicity, those domestic identities will usually infiltrate all institutions, especially parties, unions and societies which are the building blocks of society. This is reflected in the proliferation of ethnic, tribal, sectarian and regional-oriented parties, the domination of sectarian politics in professional unions, and the domination of domestic groups of ethno-sectarian attitudes. All of this weakens national unity, halting down all opportunities to integrate any heterogeneous society that seeks to integrate especially in the absence of non-governmental organizations, another backbone in building any civil society. What makes things worse is the widespread poverty in wide stretches of several countries, poor or nonexistent development programs in the light of faltering state economic performance which further worsened the distribution crisis and the recession of state control over its outermost areas and occasionally parts of its center, and lack of a uniting media effort with a patriotic message. These shabby conditions might completely prevent any chances for reconciliation and the formulation of a uniting patriotic culture that takes pride in all of its subcomponents simultaneously, where all is respected in a united, cohesive manner that leads to total satisfaction as long as uniqueness is respected as part of the national framework that represents all without discrimination.

2. Bias towards a subgroup within the frame of the larger society and neglecting the isolated 'other' in accordance to difference in the sectarian, ethnic or cultural identity, resulting in the emergence of micro-communities within the larger nation framework, which runs the hazard of disrupting the social fabric due to lack of interaction. Favoritism of a certain category, sect, ethnicity or class asserts its distinguished characteristic and leaves no room for interaction with others within the nation framework, which breeds hostility and disrupts civil peace, conclusively leading to antagonistic modes of interaction that sets the scene for an undesirable ethno-cultural conflict that eventually lays waste to the country.

3. Referring to others in the diminutive sense and stressing their minority status regardless of their religious, ethnic or social group. The opinion of a related scholar states that "an individual or group do not feel oppressed unless they are a minority in a society." Another viewpoint stresses that minorities "are historically singled out for the distortion of their principles, and continuous employment of psychological and physical means to forcefully merge them into mainstream politics and culture." According to this perspective, the majority "claims righteousness and truth while those who are different are interpreted as corrupt, misunderstanding, and often always in error."

4. The political abuse of religion in a manner unrelated to its supreme essence, using it as a tool to discriminate among adherents of different faiths or the same faith. Instead of "religion being accommodative, encompassing and a moral compass that urges virtues, extremism turns it into a tool for canceling and marginalizing others, this is against the nature of religion in the manner we understand. Eventually, nation was replaced by sect, as represented by certain factions." British thinker Alfred G. Eyre agrees that intolerance may "take several forms,

religious, ethnic, social or moral…and it is possible for all of these to emerge separately or in tandem with the others…but out of all the forms of intolerance, perhaps religious intolerance is the which caused the greatest possible damage, it is the form of intolerance that is exceptionally difficult to explain." Many scholars agree that the involvement of religion in politics leads to isolate those don't follow this or that faith, which makes for an inhospitable environment, especially if the society includes many subgroups, some say that one of the most devastating theories is "the one which views the mere act of labeling someone as an infidel as a justification for murder, even though Muslim scholars have agreed that hiraba (to launch a war against) is the one that allows murder, not mere kuffr (infidelity). Islam respected the infidel inside the framework of a treaty, urging good treatment and forbidding assault." Imam Ali says in a narration regarding the Kharijates (dissidents), "If they will be silent, we'll leave them, if they talk, we'll debate them, and if they incite, we'll fight them", while both the Old and New testaments include the passage: "God is Love." It is evident that material gains and interests fuel the conflict, not religion itself, which is humble submission to the Creator Allah and is not a call for bloodshed, our pious ancestors have said that the worst deity is one's caprice, Aktham bin Sayfi interprets this by saying that the disease of opinion is one's caprice.

5. Rejecting others who are different in belief, origin, or color, viewing facts in one image that is rigid and inflexible. This puts the difference amongst groups incapable of peaceful coexistence based on the recognition of others to mutual conflict and marginalization that often leads to perpetual war. The actors in such a conflict will attempt to realize their absolute truths through the primary objective of eradicating the 'other' whose image has imbued as the direct or indirect cause for the conflict.

6. Negative labels applied to others which could hurt both sides, negative pejoratives have long been adapted as a tool in the conflict amongst feuding factions, the rhetoric of both sides attempt to utilize a number of labels that justify his arguments and others repudiating the other's argument, through the employment of titles of glorification and pontification to embellish his image as the representative of truth – stressing his presence and domination, and then employing derogatory labels to describe the 'other' in a manner that facilities convicting and refuting his argument, eventually marginalizing and isolating the other socially and intellectually. The dilemma of terms and labels will persist unless its obscured origin, historicity, and connotations are exposed.

A Future Vision

In conclusion, it is obvious that intolerant behavior signifies an inability to accept other's actions, opinions and beliefs. This not only represents disagreement from a moral standpoint, but an effort to pressure the other. On the other hand, tolerance expresses a noble effort with an enlightening objective, a tolerant person endures and overlooks others' mistakes. An intolerant behavior is an irrational reaction to a behavior that can be tolerated,

thus race, color, belief or gender discrimination is often classified as intolerance. The politics of apartheid in South Africa is a prominent example of racial intolerance, while the restrictions upon women's freedom and their opportunities to be involved in public and professional life in some world societies can be viewed as gender intolerance. Some view intolerance as an exhibit of moral courage, but this is refutable on the grounds that intolerance is not only rejected but morally condemned. It might be necessary to reconsider many negative preconceptions, such as the disrespect for other's culture and dismissing it as a culture of violence. All cultures, as a system of multi-layered symbols, include sub-cultures for peace and war and calls for both tolerance and intolerance. It is ideological and circumstantial realities, the position of advocates, and the interpretation of the elites that highlight peace or hostility in a culture. In conclusion, the spirit of tolerance and coexistence must be promoted to vitalize national spirit and citizenship rights for all people without discrimination.

Dr. Abdul-Salam Baghdadi is a Professor of Political Models in Baghdad University.

Role of the Government in Reconciliation

Assist. Prof. Ali Abbas Murad

Perhaps the most known and apparent fact of social life is the dominance of the political center on all aspects and elements of lifestyle in any community, the center dominates even the minute details and controls them discreetly or indiscreetly, directly or indirectly. Politics is not apparent or practicable except via power, of which Alvin Toffler writes in his book "Power shift": "In itself, Power is neither good nor bad, it is a pattern unavoidable in any human relationship, it influences everything, and we are nothing but a product of said power." Hence, everything begins and ends from politics, to politics, by politics, and via politics which has the authority to govern and control life. In one of its most significant connotations, authority signifies the ability of a certain entity to manipulate other entities, and coercively steer them in a direction that might be opposite to their beliefs, values and goals. From this standpoint, authority is an inherently natural phenomenon in any human society, as life without power is an unrealistic scenario that is hard to picture. Everything indicates power and affirms the necessity of its existence. If the entity is possessive of an authority that can manipulate other entities coercively and can act in such a manner individually, then by logic it can act collectively and simultaneously if the goals of this entity and the ones it dominates are shared, enabling both to pursue the same objectives in a concentrated fashion. This applies wholeheartedly to the national reconciliation effort introduced by the ruling authority, expressing its individual

willpower was an individual action, and if it is enforced by both the government and the factions needed to be reconciled with as an expression of their joint willpower, it will converge as two simultaneous actions, standing a better chance of realizing the objective.

Interestingly, even if these basic theories apply to all possible scenarios, it doesn't seem compatible with the decision of the ruling authority in Iraq regarding the achievement of national reconciliation, despite the publicized agreement the authority shares with factions with whom reconciliation is assumed to occur with, we do not need any statistics or surveys to prove this contradiction since everyone agrees upon this to varying degrees. Perhaps the biggest proof is that the State Ministry of National Dialog Affairs biggest concern regarding national reconciliation has been nothing more than a series of media activities and publications collected in two books "a Year of Dialog and Reconciliation: 2006-2007", "a Second Year of Dialog and Reconciliation: 2007-2008") and those do not include ambitious reconciliation resolutions and legislations but rather briefings of meetings, interviews, conferences, speech texts, public statements and declarations. This also applies to a large extent to field researchers' data, researchers were authorized to collect the data for their surveys from various areas in Iraq, the data mostly focused on activities of a promotional, propaganda nature for the reconciliation conferences, those conferences did not result in any precise or clear-cut results as stated by their descriptions (in Baghdad and Mosul), reports noted that local governments were not particularly concerned with reconciliation. Moreover, it accused them of participating in armed violent operations or at least of turning a blind eye towards them, of having a weak, if not nonexistent, role in amending ties between civilians, local authorities mocked non-governmental organizations active in this regard, often hurdling their activities and accusing their staff (in Basrah.) This also applies to a large extent to results of field researchers regarding international reconciliation conferences (Helinski conference), pan-Arab conferences (Arab League conference), and Islamic conferences (Mecca conference), all of which did not produce any tangible results in spite of their enthusiastic statements, declarations and texts which could have led to positive effects if they had found their way onto practical application.

This is also true of the Political Reform Declaration approved by Iraqi political

powers participant in the political process, including the government-forming parties, which makes the government a participant albeit in an indirect fashion. The declaration clauses did not find its way towards application, which put another hurdle in the face of realizing reconciliation.

We are now going to trace the reconciliation progress through subsequent Iraqi governments, starting from 2003 onwards.

Iraqi Governments and National Reconciliation Post-2003

The process of re-forming the political system in Iraq began with civil governor Paul Bremer's declaration of the founding of the Interim Governing Council based on ethnic, religious and sectarian factionalism on the pretext of representing all factions of the Iraqi society. This factionalism distributed Iraqis according to age-old traditional structures and loyalties, seriously damaging their identification with collective Iraqi patriotism and weakening their loyalty after revitalizing and greatly exaggerating buried scores and vendettas that soon caused discord between the Iraqi people and led into large-scale battles. The drafting of a new constitution, conduction of presidential and parliamentary elections, and the formation of a democratically-elected government could have been true and direct entry points towards rebuilding the Iraqi state and to extend its authority on the entire community and stretch of the country. However, bloc leaders did not work for building the state and government according to comprehensively patriotic foundations that produce and reproduce a uniting, patriotic loyalty which binds all secondary subgroups to the national state. Instead, they further cemented the fault-lines of ethnic and sectarian factionalism that not only left setbacks in the building process but created conditions that will make reconciliation's actual realization a far-fetched prospect if not impossible to meet. Those conditions helped make many citizens feel that not only the government isn't legally valid but the state concept itself is flawed. The factionalism that pervaded the Interim Governing Council was passed on to all subsequent governments, making them an exact

replica in terms of their corrupt composition, lack of ability to act and poor efficiency. This was especially reflected through all of these governments' inability to achieve a single permanent national reconciliation accomplishment that is tangible and agreed upon by all factions.

Let us first examine a proper definition of the word 'reconciliation', it indicates consensus, agreement and amicable peacefulness between feuding sides. In the particular case of Iraq, it could come to represent:

- Initial recognition of the existence of the conflict that began among various socio-political Iraqi powers and blocs, then further extended onto their ethnic, religious, cultural, sectarian and political community bases, creating a negative relationship that reached alarming levels with the outbreak of bloody violence.

- Recognition of the potential hazards in the continued presence of such a negative relationship and its threat to national peace and security, a threat that was, and still threatens the continued existence of Iraq as a socio-political entity united by community, region and political structure.

- Regonition of the need for an earnest, serious collective effort to change the negative nature of the current relationship between the various Iraqi sociopolitical powers and blocs and their community bases into one of a positive nature through the achievement of reconciliation, *i.e.* peaceful, amicable agreement with consensus among current rivals.

To understand the progress of national reconciliation in Iraq and the role the government played we must follow it through modern stages of political development in Iraq post-2003.

1. **National Reconciliation at the Interim Governing Council (IGC) stage:**

While the policies of the ex-regime has left its devastating effects clearly impinged on Iraqi community components before and after the collapse of the regime, things did not go so far to cause armed conflict on such a large-scale as the one which occurred afterwards, the period separating the beginning of

the occupation and formation of the IGC did not witness any security deterioration in spite of the absence of a discernible ruling authority. Thus, realities on the ground did not outwardly require a national reconciliation initiative from the IGC, even though the forward-thinking perspective of the decision-makers in a country that witnessed decisive key changes such as Iraq requires taking into consideration former experiences of a similar nature in other countries which eventually suffered internal warfare, and whose initial rise should have been noted early on to avert the impending catastrophe. Therefore, is not puzzling that the IGC did not launch any national reconciliation initiative at a time where urgent need dictated such an initiative to build the new Iraqi state on solid ground that is devoid of the negativities plaguing the past and present. A good example is the country of South Africa where a General Amnesty law was issued in 1994 followed by the subsequent formation of the Truth and Reconciliation Committee in 1996.

2. **National Reconciliation During Mr. Iyad Allawi's Government Era.**

Mr. Iyad Allawi assumed the duty of leading the Iraqi government at conditions that has not yet reached the outbreak of intra-combat on the Iraqi public opinion. His liberal, secular outlook could have attracted a wide range of the Iraqi public opinion and could have achieved true, albeit unpublicized, national reconciliation, allowing Iraq and the Iraqi people to overcome much of the past's problematic legacy. However, the few months of Mr. Allawi's term did not see him move in this direction, as he had not made any initiative in this regard due to a lack of coherent need for it at the time. Mr. Allawi was occupied, even engrossed, in a devastating internal war between the government and local resistance factions. On the most modest estimation, this war had greatly weakened his chances to lead any influential political role in Iraq at the near-future.

3. **Reconciliation During the Reign of Mr. Ibrahim Al-Jaffari's government.**

This stage witnessed the first signs of internal friction and tension that

reached a boiling post following the explosions of Al-Askari shrines in Samarra at the beginning of 2006. By then the need for a coherent national reconciliation in Iraq had crystallized, prompting the Arab League to call for a reconciliation conference in Cairo between feuding Iraqi factions both inside and outside the government that was sponsored by Egyptian president Husni Mubarak. Mr. Al-Jaffari's government, a number of Arab foreign ministers, representatives of the UN Security Council members, many Iraqi factions including the Association of Muslim Scholars, representatives of a number of Iraqi parties and members in the Iraqi parliament agreed to attend the conference . Unfortunately, whatever the participants in the conference had agreed upon was quickly forgotten as soon as they returned to their countries, this is especially true of the Iraqi factions. Violence resumed, surpassing the short tenure of Mr. Al-Jaffari's government, and then entered a much more virulent and gruesome stage during the term of Mr. Al-Maliki.

4. Reconciliation in the hands of Mr. Nuri Al-Maliki's Government

Even the very modest reconciliation efforts that were visible in the governments preceding Al-Maliki's failed, tensions were high and this led to an increasingly gruesome armed conflict that had taken early on very explicit sectarian overtones. This prompted a stressful intensity in the number of local, regional and international voices demanding the achievement of national reconciliation. Therefore, elected Iraqi prime minister Nuri Al-Maliki proceeded shortly after assuming post and forming cabinet to declare at a regular Iraqi parliament session held on Sunday the 25th of June 2006 a national reconciliation program, whose objective is to "remedy the effects of terrorism and administrative corruption, and to promote sincere initiative spirits in Iraq whereby all Iraqis are equal."[1] The Iraqi parliament quickly supported this call and backed it through the formation of a committee concerned with the achievement of national reconciliation; it was presided by MP Akram Al-Hakim who subsequently would become the first national reconciliation minister in the political history of modern Iraq. This was followed by the parliament and government's agreement on the need to issue a general amnesty law, to remove the Debaathification legislation, drafting instead the Accountability

and Justice Law inspired by the Truth and Reconciliation bill of South Africa. This course was embellished and supported by further subsequent national reconciliation conferences held by the government of Al-Maliki. The government invited some participant powers in the political process to attend but not others, and it included entities inside the political process as well as ones outside it, it was further enhanced and sustained by the govenrment's participation in many reconciliation conferences called upon by Arab, foreign, regional, international, governmental or civil bodies.

1 Annabba Media Network, Sunday 25th June 2006, www.annabaa.org

Major Problems Facing Reconciliation During Al-Maliki's Government Era

While the government of Prime Minister Al-Maliki had advocated early on the cause of national reconciliation, and had moved forward in this regard, it still does face a large number of criticisms holding it accountable for not achieving any tangible national reconciliation accomplishment. For the most part, those criticisms are based on good reasons. Those reasons are not solely limited to it being the ruling authority which monopolized decision-making regarding issues that can provide the best possible conditions to achieve reconciliation and remove any setbacks in the way, as authority was shared by the two former cabinets as well. In fact, there are several other reasons:

1. This government was the result of public elections, lending a level of legality that wasn't available to the former governments.
2. It was the longest-serving government, allowing a time frame not available for the former governments, which allowed ample time to make planning and execution decisions not only regarding reconciliation but to plan, approve and execute all national policies necessitated for Iraq, especially in the field of reconstruction and services.

To be fair, we must note that those who hold the government of Mr. Nuri al-

Maliki accountable for the failure in achieving reconciliation on grounds that it is the ruling authority and is the most capable of providing proper and suitable conditions for its accomplishment, those themselves share a part of that accountability as they are part of the sides with whom reconciliation is desired, whether they are part of the government due to its open structure or those outside as they did not accept to participate in the political process in general and the government in particular, all of those sides must remember that this government is not responsible in an official, direct manner for the outbreak of internal warfare and struggle for which reconciliation was advocated in the first place, as this government had inherited problems whose factors were internal and external, and those factors helped facilitate the civil warfare. Those factors still present a hurdle against many reconciliation opportunities, not to mention other problems resultant from the policies of this government or through involvement from other sides, the foremost of those are:

1. Iraqi Kurds relative enjoyment of semi-autonomous role beginning from 1991 away from central government authority and policies, a unique phenomenon amongst Iraqi components. Other Iraqi components soon felt the need to express their ambitions, aspirations and affirm their presence following Iraq's occupation and the toppling of the ex-regime. The occupation authorities known as the Coalition Provisional Authority (CPA) encouraged this in its interaction with Iraqis. Ever since its inception, the CPA dealt with Iraqis as ethnic and sectarian subgroups more than a united people. This was reflected and practically confirmed in the formation of the Interim Governing Council on the basis of unsuitable compilation of ethnic and sectarian denominations and the distribution of governmental posts and authorities on basis of factionalism. If this policy had responded positively to the fears of some Iraqi communities and their need to secure their rights after the end of an era whose policies was to marginalize those communities, it had also affirmed the occupational interests of promoting ethno-sectarian factionalism, which led to internal warfare in Iraq. This eventually leads us to conclude that occupation and factionalism can be considered the most active factors in promoting civil warfare in Iraq which erupted a

short while after their manifestation. This necessarily indicates that the termination of both occupation and factionalism and the removal of their corrupt legacy will be necessary to pave the way towards reconciliation.

2. The Constitution drafting and approval process, it might have been written prior to the formation of Mr. al-Maliki's cabinet, but the components of this government participated in the drafting and approval process. This process occurred at a time where the past's experiences, fears and desire for retribution was strongly manifest in the minds of Shia Arabs and Kurds, while the hostility of the present and fears of the future was likewise manifest in the minds of Sunni Arabs. This is coupled with the bitter factionalism model created by the occupation, all of which paved for the alliance of national Iraqi components against each other so as to secure themselves the largest possible private gains, even if those conflict with ultimately national interests. There was a constitutional concern with affirming those narrow individual gains in the shape of foundational guidelines that cannot be modified in the future except with painstaking difficulties. Some of the constitutional clauses were, and still are, one of the foremost controversial disputes with which reconciliation cannot be realized, some of those include: what it the Iraqi identity? Is it purely in the nationalistic sense, does it necessitate Arab and/or Islamic connotations? The latter also calls the Sunni-Shia schism into the forefront, other issues are federalism and the autonomous regions system, disputed territories such as Kirkuk, factionalism, Debaathification and the accountability and Justice law, Amnesty law, the relationship between Religion and State, distribution of authorities and jurisdictions between the center and regions, and the distribution of authorities and jurisdictions between the three elite governing bodies: parliament, state and government. Thus, the refusal or inability of the authority or part of this authority to modify constitutional clauses will keep in place many of the problems between the authority and the opposition powers in a pattern that renders reconciliation efforts futile.

3. The Iraqi political process that emerged post-occupation after 2003

was based on factionalism and a per-ratio representation of Iraqi sects, religions and ethnicities at the Interim Governing Council in a manner that prioritizes those characteristics over any other - including political merit, this model remained in place and was adopted as a principle during the formation of all subsequent Iraqi governments, beginning with the cabinet of Mr. Allawi, then al-Jaffari's, and finally with the current Mr. Nuri Al-Maliki government. Perhaps the most obvious example of which is the distribution of the three presidential offices (parliament, government and state) following the 2005 elections by a factionalist method among Iraqi political powers; the parliament chairman is a Sunni with Shia and Kurd deputies, the Prime Minister a Shia with Sunni and Kurd deputies, and the President a Kurd with Sunni and Shia deputies. Practically, factionalism emerged as a fixture of the Iraqi political climate post-occupation. Theoretically, everybody has issued statements against factionalism but all hold fast to it and practice it in application, it remained present in the parliamentary elections that occurred in 15th December 2005, with results being announced at the 20th January 2006. Participant party coalitions were formed according to ethnic (Kurd) or sectarian (Sunni and Shia Arabs) affiliations, this paved the way for the formation of the new government in 2006 in a manner completely guaranteeing the perfect application of factionalism same as the previous Allawi and Jaffari governments. This called for the principle of accord as the defining characteristic of the new government, a government of consensus based on the ruling of an approving majority – formed of a massive coalition of political blocs with varied and sometimes contradictory positions and beliefs. It should be mentioned here that this accord government, could have been formed as a government of a parliamentary-majority coalition based on the majority of the coalition of the United Shia Alliance and the Kurdistan Coalition blocs, both of which garnered the highest percentages of votes in the elections and their total votes qualifies them for the formation of a parliamentary-majority coalition government, nevertheless:

- There were other political blocs who did not garner as much votes, but

had active presence in Iraq's sociopolitical life.

- Both blocs wished to ally with each other instead of allying with those blocs, for reasons related to their private goals and interests at present and in the future.

Those two factors imposed on those major blocs to both accept their bilateral alliance and also concede the participation of other political blocs in the formation of a government that includes the blocs of the allied parliamentary-majority in addition to minority blocs in consideration for the active presence of the latter in sociopolitical life, eventually forming a government of accord and not of a parliamentary-majority nature. Interestingly, the differing and often sharply conflicting beliefs, principles, and positions of the blocs that formed this accord government made every component of the government attempt to hurdle and stop the legislative efforts of the other components; the government of accord became one of discord. It is perfectly correct that any democratic government of accord must inherently contain a flexible stoppage mechanism stemming out of veto rights for all the various components forming this government in a manner allowing each components the ability to halt or slow down the efforts and bills proposed by other blocs to secure their own interests. However, Western accord governments had managed to greatly minimize the problems of such a mechanism, curtailing its risks by employing the democratic heritage of its sociopolitical components on one hand and the agreement over general patriotic guidelines by which and for governments operate. Those two factors are not available for any of the recent Iraqi governments, which led to stressing the negative aspects of the consensus dynamic, greatly entrenching and multiplying its risks and hazards and transforming it into a big blocking mechanism. Since the Iraqi government appears almost entirely ineffective and incapable of work in many ways (the lack of a partial or comprehensive reconciliation is basically attributed to this reason), then this allow us to believe in the validity of the alternative term we propose to describe this government, one of discord as it seeks to block and hamper efforts, legislations, bills and resolutions, we could also be led to believe that the resolve of this inherent problem in the government and the stipulated rectification needed to turn it into one of true accord is the first and most important prerequisite for its capability to achieve a tangible practical

accomplishment especially in regards to national reconciliation. American political scientist James Bryce described federalism as a model of rule by saying: "the ebb-and-flow powers must be set in balance so that it becomes impossible for states (or regions) to escape the union or to be marginalized within it"and we can adapt this to say regarding the accord democracy pattern of government as a model for democratic rule in Iraq: The ebb-and-flow powers must be set in balance so that it becomes impossible for any of the powers participant in sharing powers to monopolize it or be marginalized within it."

4. The government or part of the government's rejection to open dialog with certain opposition political powers in spite of said powers influential presence in Iraqi sociopolitical life, this shall keep those sides active against the government, preserving the tense security and political conditions which would delay or even prevent the achievement of reconciliation.

5. Absolute rejection of participation in the political process at its present state by some opposition political powers, others partially rejected to participate, pending their participation on condition that the process is reformed. However, their vision for reform is not shared by the government, keeping those powers active in one form or another against the government, preserving the tense security and political conditions in a manner delaying or even preventing the accomplishment of reconciliation.

6. Some opposition entities were not willing to join or accept the concept of reconciliation before their demands were met. Those feel that if they reconcile now then they would not be in a position with enough clout to impose those demands. This also delays, and possibly prevents, the achievement of reconciliation.

7. Some controversial disputes were not resolved between the government and opposition powers. (*e.g. Awakening and Support Councils, Employees of Dissolved Entities, Ex-regime officials.*) This delays, and possibly prevents, the accomplishment of reconciliation.

8. The government's failure or lack of desire so far to issue legislations stipulated by the political process in Iraq, those legislations are

necessary to stabilize and regulate the political process and to ensure its legality and justice. At the forefront of such legislations are party legislations, journalism legislations, financial statements for governmental and party officials, the independence and transparency of the judicial system, and the professionalism of military and security institutions. The absence of such legislations delays, even prevents, the achievement of reconciliation.

9. The governmental legislations issued so far to achieve the transitional justice required to pave the way for reconciliation or even to achieve reconciliation directly has not been met with approval by the opposition figures both inside and outside the government. Neither partially nor in full, and neither in quality nor quantity. At best, only its applications and accomplishments have not been found satisfactory by those factions. This delays, even prevents, the achievement of reconciliation.

10. Some regional and international sides do not wish for reconciliation to be completely or partially achieved, for varying reasons that differ from one side to another, prompting them to interfere in internal Iraqi affairs to achieve their purposes through a variety of methods. This delays, even prevents, the achievement of reconciliation.

11. Any new formula to rule Iraq must balance the demands of the local national environment and the Arab-Islamic regional environments on one hand, and the demands of all these communities and the international community on the other hand. This must be done in a manner that serves the ultimate interests of Iraq first and foremost, and to guarantee the foundation of a democratic Iraq on good civil values and a democratic Iraqi identity that embraces all Iraqis of any affiliation. If disputed cases between the government and Arab-regional powers regarding the nature and extent of the relationship with the United States and some neighboring states are not resolved, this prompts those powers to interfere in Iraqi affairs to achieve their own interests in a variety of methods. This prevents, or even delays, achieving reconciliation.

12. Iraqi political powers, both those in authority and those who are not, lack positive approaches to legal, peaceful political action capable of

achieving reconciliation on both the theoretical and practical levels, those include:

a. Recognition of all rival sides of the other sides' right to exist and persist. The recognition of equal rights and liberties for everyone.

b. Adoption of peaceful dialog, and not resorting to violence to settle disputes.

c. The principle of prohibited alliances with ideologically or ethnically similar foreigners against the ideologically or ethnically diffrent country fellows, adopting internal solutions for internal conflict as the local antagonists are the ones who truly know the origin, nature, and hazards of the conflict on their present and future, and hereby they are the ones most suitable and capable of resolving it.

d. Promoting the principle of good will amongst the antagonists and discouraging double standards.

e. Equal distribution of natural wealth and resources by equal shares for all citizens without any favoritism whatsoever.

f. No-holds-barred sessions that involve admiting mistakes, apologizing for them and compensating those victimized by them as a prerequisite for national reconciliation, this means that all Iraqi factions show their true attitudes before all; this includes those who were in the government in the past or those who are in power today, and it includes admiting mistakes committed against the Iraqi people, with an attached apology, and an agreement to compensate those victimized. This will stop the cycle of retribution that might prove critically hard to stop if initiated once again.

g. Approving constitutional revisions according to standardized procedures in this regard. The constitution is not a sacred divine text that is impossible to revise, and so if certain constitutional clauses might secure the basic needs for certain parties today, this might not be the case tomorrow and it could be quite the opposite.

The national reconciliation process faces all of those problems, and this might instill doubts regarding the alleged progress and merit of such a process, it also puts the claim that the recession of armed

violence is due to reconciliation-wise successes under question as well. All this calls for an examination into whether the reconciliation is a successful endeavor and whether there is a credible reconciliation progress, also needed is to search for other reasons than successful reconciliation to explain the receding political and sectarian violence. If it is desired for reconciliation to be achieved, then the aforementioned problems must be treated accordingly by a joint effort between the government and the entities with which reconciliation is desired to allow for a consensual solution upon which everyone agrees, as one cannot put faith in good intentions alone, to quote the age-old adage: "the road to hell is paved with good intentions."

Role of Iraqi Political Parties and Powers in National Reconciliation

Dr. Saadi Karim Salman

Foreword

The years 2006-2007 were years of violence, bloodshed and explosions in Iraq, causing negative rifts in the social fabric and the cost was high both in lives and property. Those events directly influenced the basic structures of state and society and had a variety of motives of political, ethnic, religious or criminal orientation which cemented the collective sense of disarray and marginalized national unity, negatively affecting the progress of democratic change and the efforts to construct a truly modern Iraqi state.

A number of reasons stand behind those events, perhaps most importantly is the collapse of the ex-regime and the abolishment of state institutions to give way to a political vacuum which some political powers attempted to exploit through violence in order to impose their will and maximize power gains, this enforced the absence of a lawful authority and weak governance, offering plenty of room to escape punishment, we should also mention the political fission and the power struggle that ensued between Iraqi political powers and parties already participant in the political process in order to maximize their political gains, the Iraqi social fabric enabled many Iraqi powers and entities to entrench behind sectarian, ethnic, religious and tribal identities, helping to cement those denominations and embellish their emergence, the social complexity of Iraq was promoted by many local and international media outlets as a problem unique to Iraq alone and that is the raison d'être of all Iraq's contradictions and complications, as if to show that Iraq is the only country with various cultural components.

All of those factors created an existential competition amongst Iraqi citizens, fuelling hostility, suspicion and distrust between various social components, with each component searching for cultural barriers that entrench its members against the others. Some international and regional powers were able to

involve themselves in this struggle in light of their cultural identity or ideological orientation. This comes to show that under irrational competition, many Iraqi political powers are seeking support from bases not restricted to the homeland which has grown crowded with competitors.

As a result, conflict and differences grew progressively greater among the Iraqi people to a degree threatening civic peace and stability, this negatively reflected on all components of society as evident in internal deportation, external migration and the thousands of fallen innocent causalities as a result of armed violence.

In light of the ongoing democratic changes in Iraq and their resultant governments and parliament, with all of its successes and failures, it must be noted that the democratic experiment in Iraq has been dependent on systematic factionalism and elitism, the narrow-minded rhetoric of many Iraqi political powers further widened the gap between Iraqi social components, blurring the concepts of citizenship and the fundamentals of civil society and peaceful coexistence which are the backbone of any democratic endeavor and the sole insurance for its future sustainability. This calls for a comprehensive national reconciliation effort that sets the scene for a new chapter enabling the various sociopolitical powers to contribute to the political process and to mend rifts in Iraqi society so as to bolster security, civic peace, citizenship and to propel the democratic change in Iraq toward achieving its desired objectives.

This paper attempts to study the role of political powers and parties in the process of national reconciliation through answering a number of questions, the most notable of which include:

1. What is the role of political powers and parties in the process of national reconciliation?

2. What has political powers and parties achieved in the interest of national reconciliation?

3. What are the reasons for the failure of political powers and parties in the national reconciliation effort?

4. What means can bolster the role of political powers and parties in the process of national reconciliation?

Role of Political Parties in National Reconciliation
Political parties are the backbone for the process of democratic change and they play an integral role in its progress, hostility to the concept of parties hints at hostility towards democracy itself, as it's been said that there is no political freedom in the absence of parties which play an essential role in cementing political awareness, expressing political interests and representing a multitude of components, especially in countries that are socially diverse in composition.

Many studies confirmed the role played by political parties in the process of democratic development and change, David Apter stresses their influence in strengthening the sense of communal participation and responsibility amongst citizens, they convey the individual desires of decision-makers and play a catalyst role in assembling desires and beliefs, it plays the role of a regulator

in the process to create ideas and links the public to the people in authority in a manner facilitating the generation, shaping and fuelling of political thrust. Samuel Huntington noted that political parties are the best possible solution to confront problems arising from modernizing society through a shift to democracy that allows a greater political participation. However, academic objectivity obliges us to note that party pluralism could lead to negative results, especially in countries with a diverse multitude of racial, religious and tribal identities, whereas due to the heterogeneous mixture of the population, party pluralism may only serve as an extension of support for those restricted identifications, without minimizing or transcending them. For party plurality to play a positive role in heterogeneous societies, the parties must be efficient enough to accommodate social dynamics and powers in society and must be able to adapt and develop.

This is where the importance of political powers and parties in the ongoing national reconciliation effort in Iraq is made apparent. Following the collapse of the Ba'ath regime, the Iraqi political scene witnessed a plethora of political parties which were exclusive manifestations of social components of the Iraqi society, reflecting the heterogeneous composition of Iraqi society. At its simplest form, plurality signifies a number of groups that adopt principles that outline different perspectives about the political present and future of the country within the unifying society, recognizing social plurality involves recognition of the right of those social components to express their demands, interests, and rights to contribute in official state policy, to have their independent forums, media and organizations that can publicly express their political vision and to establish those visions politically through participation amongst all other sociopolitical components in society. In a pluralist society, political parties and powers must play a successful role in repairing and reforming society, and not be a factor that instigates crises and further complicates problems.

Eventually, the Iraqi government became convinced that security solutions are not sufficient by themselves to instill peace and stability without dialog that involves a large number of political parties and powers whether they are inside or outside the political process. Thus the government called in June 2006 for the first national reconciliation conference in an attempt to restore civic peace and stability which crumbled following violence and subsequent large-scale murder and deportation in Iraq, the government called for the conference to be held in August 2006, but it was postponed to December, producing no significant results that could support tangible reconciliation, due to disagreements between political powers and parties participant in the political process regarding the concept of reconciliation and the factions who are to be reconciled with.

While significant, governmental initiatives cannot be looked upon as the optimal path towards national reconciliation, as it is a one-dimensional reflection of the positions of political powers and parties who are participant in power exclusively. While of considerable clout, such initiatives still fail to express the visions of factions who are not participating in the political process and who are targeted by reconciliation. Those initiatives only serve to express authority's vision of reconciliation, marginalizing the opinion of important and relevant factions in national reconciliation. Moreover, governmental initiative is often expressed through a political statement that

often contains terms that can be loosely interpreted in a variety of manners; this is because this statement was phrased to accommodate the views of a large number of factions who often believe in different visions to national reconciliation, rendering the application of such a statement futile. A good example is the Maliki government national reconciliation initiative in 2006 which noticeably neglected to mention the term 'resistance'. Had it been recognized, it would have implicitly acknowledged the presence of factions that employ arms for the patriotic purpose of ending occupation, allowing certain political powers to enter a reconciliation debate and offer their vision for political partnership, also worthy of note is that some of the powers participant in the political process insist upon describing all armed operations in Iraq as terrorism, the conditions for general amnesty stated in the initiative declaration restricted the scope of amnesty and the degree people accused of committing violent acts may be approached, rendering it as conditional amnesty "targeting detainees who were not involved in crimes, acts of terrorism, war crimes and crimes against humanity" this is a vague, flexible statement which renders its application difficult.

Therefore it seems that the important and decisive role in national reconciliation is to be played by political powers and parties considering they are some of the most influential forces in society and they play a considerable role in expressing community interests. Unfortunately, the role of most Iraqi political powers and parties in national reconciliation is frail, almost nonexistent in some cases. The examination into the reports of field researchers' surveys about reconciliation efforts highlights this weak role. Those surveys were made in several governorates of Iraq, but we shall examine three reports from Baghdad, Basra and Mosul to outline the fragility of this role.

In Baghdad, representatives of the Sadrist bloc in Kadhimiya exchanged visits with representatives of the Iraqi Islamic Party from Adhamiya, the two exchanged dialog and held a joint prayer. In the notorious al-Fadhel district, which saw some of the bloodiest sectarian warfare, none of the political parties attempted to reconcile the warring factions, who finally relented following a prominent display of public sentiment shared by the two concerned sides about the futility of hostility and warfare, with a sense of the heavy causalities in lives and property. Social elites of the two sides spontaneously exchanged visits in a form of social behavior that cannot resemble any reconciliation or peace effort as there was no documented agreement the two sides may refer to in case of any violation against their agreement, which remained verbal.

In al-Mahmoudiya, one of the most turbulent cities which witnessed rampant acts of violence, murder and displacement amongst the tribes of the region which belong to different sects, party-led initiatives were relatively scarce considering the heated nature of the region and the intense conflict being waged there, there was a Sadrist initiative in August 2007 in al-Yousifiya to hold joint prayers, one of which at al-Huda Mosque and the other at Husseiniyat al-Yousifiya, following those efforts Sunni and Shi'i families began to exchange visits and displaced families returned to the region. This is the summarized content of the field surveys regarding the role of political parties in national reconciliation initiatives in Baghdad. The reports also mention reconciliation initiatives led by Non-governmental Organizations, local

councils and other governmental bodies, but they are out of the scope of this paper which only addresses the role of political powers and parties specifically.

In Basra, violence was as intense as it was in any other place in Iraq. Large-scale killings and displacements ensued as armed militias took hold over the city, field surveys show that some political parties were linked in one form or another to the bloody struggles that took the city by storm. We have no way to confirm the validity of the reports, but they indicate a connection between criminal gangs and militias on one hand and local governmental bodies and parties on the other. Those militias were the primary cause behind the outbreak of armed violence, murder and displacement. According to the reports, the average causalities rate approached a rate of 20-30 per day, and some of the parties took over the houses of dispalced families and used them as their own offices. Civic peace never returned to the city before the Charge of the Knights campaign led by the central government. Interestingly, field researchers' reports show that political parties and powers in Basrah abstained from any activity promoting peace, curbing violence or calling towards reconciliation. This is likely due to their exploitation of the chaos as a front for their affiliated crime cartels at the ports involved in stealing and smuggling oil. Any reconciliation initiatives at the time were purely of a propagandistic nature, there was no activity in the years 2006 and 2007 in the vein of dialog and reconciliation from any political parties. If any, the activities proved rather marginal with very modest effects. In areas of relative conflict in Basra such as Abi al-Khasib and al-Zubair, there were some proposed reconciliation initiatives from the leadership of the Islamic Party in collaboration with the office of Grand Ayatollah Ali al-Sistani and al-Najjat Islamic Society, both sides had a positive impact due to their rationality, wisdom, influence and popularity. Both organized dialog and reconciliation seminars in collaboration with NGOs, visited traumatized families, helped return a Sunni mosque that was taken over by a Shi'i militant group, encouraged cross-sect mass marriages, and participated in joint celebrations to stress unity in the events of Ashura and Mawlid. Abi al-Khasib witnessed similar initiatives to al-Zubair, with the Islamic Superme Council and the Iraqi Islamic Party as the most influential political parties working to improve conditions and organize reconciliation initiatives. Thus, while important, the role of political parties and powers in Basrah was modest and not inclusive of all parties and powers, solely composed of the efforts of the Islamic Supreme Council and the Iraqi Islamic Party.

Mosul is still the most dangerous area in Iraq due to a notable absence of effective governmental presence, struggles over disputed territories between the central government and the KRG (Kurdistan Regional Government), local struggles amongst various political powers to maximize gains in the local government and the governorate council and the spread of violence spearheaded by armed groups and militias. Therefore, it is in dire need of serious reconciliation and dialog efforts. Field researchers' reports indicate an absence of any dialog and reconciliation initiative from any political powers or parties for a variety of reasons, most importantly the desire of prominent parties to maintain instability and chaos for practical political gains. Most of the initiatives were propagandistic, but two are worthy of mention. The first was the result of an effort by the Democratic Party of Kurdistan in 2004

involving Arab and Kurdish tribes and was held at the 14th Branch of the Party, the second was a conference involving Arab, Kurdish and Turkmen tribes held in 2008 in Erbil based on an invitation from Mes'ood Barazani, president of the Kurdistan Region. Mr. Yahya Abid Mahjoob, a leading figure in the Iraqi Islamic Party explained the weak performance of the party in Ninewa reconciliation efforts by citing the need for such projects to be embraced and executed by the central government as any effort or agreement must pass through the central government.

The reports of field researchers monitored national reconciliation efforts of official state institutions, political parties and non-governmental organizations. In this paper, we have focused on three reports concerning Baghdad, Basrah and Mosul. All of which indicate weak performance on part of Iraqi political powers and parties in the field of national reconciliation with only a limited influence on the Iraqi scene, it also indicates a striking absence of a reconciliation role for many political powers and parties, which urge us to analyze the reasons behind the absence or fragility of the reconciliation effort, and then to propose suggestions that might help in strengthening the process of national reconciliation, the path towards which is still long and arduous.

Iraqi Parties and Political Powers' Positions towards National Reconciliation

The weak role Iraqi political powers and parties play in national reconciliation does not stem out of dismissal of the reconciliation process per se. Most of those parties and powers stress the importance of reconciliation and the need to vitalize and accomplish reconciliation practically. Meanwhile, many of those parties have a distinct vision regarding reconciliation itself, parties to be reconciled with, parties to be excluded, and reconciliation conditions. For the sake of brevity, we are going to discuss the position of only the most prominent political parties and powers in Iraq, as discussing the entire spectrum is beyond the scope of this paper, and can only be fulfilled through an independent research.

It can be said that political powers in Iraq can be classified into three groups:

1. Political powers and parties who are part of the political process

2. Political powers and parties which chose to remain outside the political process, either because they did not garner enough votes to attain seats in parliament, or because they did not participate in the elections at all.

3. Political powers and parties opposing the political process, urging the cessation of American presence as a condition for participating in the political process.

All of the three groups above have no clear-cut, defined understanding for reconciliation that is agreed upon by all those powers. Clearly, such a precise understanding must be neutral so as to be embraced by a variety of political powers and parties, whose conflict in approach is clearly apparent.

Islamic Supreme Council Position:

The ISCI pro-reconciliation position can be outlined through the statements it had made in the past, the statement of the 9th Annual Conference stresses the "full support for dialog and national reconciliation by the Islamic Supreme Council, and stresses the activation of national reconciliation under law and constitution….the affirmation of unity between all religious, sectarian and ethnic components, looking upon the internal discord as acts happening against the will of Iraqi people, the rejection of civil war or sectarian war, and holding Takfiris, terrorists, Saddamists and extremists as responsible for potentially affecting the interests of Iraqi people." The Islamic Supreme Council calls for "encouraging the participation of all religious, ethnic and sectarian components and all national forces in the political process according to their constitutional merits and to support joint interests amongst them in the objective of fully supporting national reconciliation." The ISCI rejects the participation of the Ba'ath Party in the reconciliation process, stressing that "the Saddamist Ba'ath is still the Iraqi people's first enemy," and highlighting the need to ban "Saddamist Ba'ath" in ideology and organization, under any aliases or pretexts and according to constitutionally endoresed mechanisms."

ISCI figure Ridha Juwad Taqqi mentioned that the council is amending their usage of the terms "armed groups" and "Baathists," "terrorists who are killing innocents must be spared no room for dialog, and the murderous Baathist henchmen of the ex-regime cannot be negotiated with, but this does not include all Baathists, as not all Baathists are criminals, and we maintain connections with some of them."

And so it appears that the Islamic Supreme Council supports reconciliation and backs its project, but it opposes the participation of Saddamist Baathists, and terrorists who have slaughtered innocents.

2. Iraqi Islamic Party:
The Iraqi Islamic Party supports national reconciliation, and calls for the participation of most political powers and parties, this was made evident through what the party proposed in 2008 under the title "the National Compact of Iraq," the party secretary-general Tariq al-Hashimi mentioned that "the project seeks to put a stop to the ongoing deterioration in Iraq through eliminating its causes, including a general lack of distrust between the Iraqi components inside and outside the political process." He stressed that the "compact is a proposal that can be altered in essence so as to serve the political process, while the reconciliation project can open a new page for joint efforts as part of an agreed-upon national framework."

3. Iraqi Accord Front:

The Iraqi Accord Front includes the Iraqi Islamic Party, the Dialog Front and the People of Iraq in addition to other Sunni parties, all of those political powers advocate national reconciliation, with their major conditions being the revocation of the Debaathification law, restoration of ex-army officers, and amending the constitution to remove major articles such as federalism, the latter is an especially difficult demand to meet, especially considering the positions of the Islamic Supreme Council and the Kurdish Parties.

4. Iraqi National Accord:

The Iraqi National Accord front headed by ex-primer Iyad Allawi supports national reconciliation and views it as a priority to restore Iraqi domestic peace

and stability. However, it only considers reconciliation potent if the laws that it views as have damaged millions of people be repealed, while simultaneously restoring living and employment rights for categories targeted by those laws, such as the ex-Iraqi army corps and organizations, institutions and ministries like former security and media organizations. It also urges the reconsideration of resolutions it describes as politicized, such as the Debaathificaiton law, and demands work to restore the forcefully deported and emigrated through a governmental plan.

5. Kurdish Parties

The two Kurdish parties, the Patriotic Union of Kurdistan and the Kurdistan Democratic Party, seriously support what national reconciliation in Iraq could achieve, provided that it should not overlap with Kurdish interests (Federalism and Kirkuk). On one hand, the two Kurdish parties believe that Iraqi national interests call for them to support reconciliation, even though they are not concerned parties in the sectarian and political violence in Iraq. In this regard, Kurds believe that national reconciliation –if correctly carried out and if faced by no serious hurdles - can attract a wider margin of political parties and powers that oppose the political process, lessen the intensity of violence and terrorism and may open the door wide open for a reconstruction campaign. On the other hand, Kurds view certain political and constitutional debates with an eye of suspicion, as certain views may be proposed by partners in the reconciliation process, in particular those touching on federalism and the Kirkuk case –both of which they view as a red lines protecting gains achieved by Kurds through a long history of struggle.

In this regard, Kurds stress their exceptional efforts to convince a large number of relevant parties and political powers to work towards national reconciliation and the application of its principles, they point out the major role played by Kurdish leaders in paving the way towards the launch of reconciliation and to confront its obstacles. Prior to the occupation, head of the Kurdistan region Mr. Mes'ood Barazani proposed the idea of tolerance in the Iraqi opposition conference held in London, and again in the period following the toppling of the previous regime in 2003. Barazani believes that Iraqis have only the choice of consensus to persuade the entire spectrum of Iraqi parties and powers to join the political process, adding that: "overcoming retribution, vengeance, hatred through the construction of a pluralist, tolerant Iraq is the foremost approach towards creating a new Iraq." Hence, Kurdish parties view national reconciliation as deserving of collective Iraqi support.

6. National Reform Current

This also reflects the position of the Islamic Dawa Party, considering that head of the National Reform Current, Mr. Ibrahim al-Jaffari, was the head of Dawa prior to Mr. Nuri al-Maliki, whose ascension to leadership eventually led to the departure of al-Jaafari and the formation of the National Reform Current. The Islamic Dawa Party issued a book in May 2003 outlining the Dawa party and stressing the rejection of tyranny and the monopoly of power. In regards to its position towards the Ba'ath, it stated: "As to the group that

spilt blood and committed heinous crimes, a just trial is the action most befitting them without needlessly opening a floodgate of random tit-for-tat killings, which could eventually lead to a state of social chaos. Additionally, most of the party members are likely to be forgiven."

In an interview with the independent news agency Aswat al-Iraqi, Mr. Ibrahim al-Jaffari affirmed this position through saying: "the achievement of national reconciliation will put Iraq on the shores of a new era, overcoming many problems, improving the security situation and reducing violence." In regards to national reconciliation, he pointed out that "national reconciliation must target a variety of armed powers which have a number of different perspectives. What we seek is to cut time short through determining what both sides want from each other, some bear arms as a reaction to the presence of US troops in Iraq, others carry arms for political considerations demanding a direct participation in politics, others out of humanitarian considerations as they have prisoners and detainees in prisons that they would like to see released, some wish the Debaathification law to be reconsidered, and others seek to preserve Iraq's unity from division, those are different objectives that necessitates a separate sit down with each group, and we have to remember that not only those who bear weapons have demands, as the government which leads the political process has its own demands as well, as there are mutual commitments and mutual [perspectives]." Al-Jaffari believes that all demands are valid and negotiable and it is only a matter of time.

7. Sadrist Current:

The Sadrist Current does not reject reconciliation in principle, but demands a specification of those included in its range, it strenuously opposes the inclusion of Baathists and "Takfiris", Mr. Hazim al-Aarji, a Sadrist leader, said in a speech at al-Kadhimiya shrine: "We shall reconcile with our moderate Sunni brothers but we will not ally ourselves with Saddamists and Takifiris." The Current has some reservations regarding the revocation of the Debaathification law, and it desires that the restoration of ex-army officers does not include those who were involved in killing Iraqis through participation in al-Quds Army, al-Anfal campaign, Halabcha and during the suppressing of the 1991 Uprising, they view the entry of those into the fold of the new army as unacceptable. The Sadrist current distinguishes between terrorism and resistance, Falah Shnayshil, a leading Sadrist figure believes that there are important groups which refused to participate in the political process under occupation, and those can rightfully be looked upon as resistance groups.

8. Al-Fadhila Party

Al-Fadhila Party believes that national reconciliation is necessary, and that there are groups that are capable of cooperative partnership under a new democratic Iraq, it believes reconciliation is a good remedy to defuse sectarian tensions in Iraq. However, the party refuses the inclusion of some factions in reconciliation. Official spokesman Sabah al-Sa'aidi believes that reconciliation must not include those who spilt the blood of Iraqis, armed gangs, incubators of terrorism and supporters of Ba'athist and Takfiri terrorism

9. **Association of Muslim Scholars**

Led by Harith al-Dhari, the Association of Muslim Scholars has several conditions regarding participation in national reconciliation, including an internationally-sponsored timeframe for occupation troops to withdraw from Iraq, recognition of a legitimate Iraqi resistance and distinguishing it from terrorism, restoring the former Iraqi army, and disbanding sectarian armed militias.

10. **Ba'ath Party**

Political powers and factions known to be affiliated with the Ba'ath Party did not reject the concept of national reconciliation, Majid al-Samarraie writes that "Iraqi powers opposing the occupation have already proposed national reconciliation projects since the first days of the occupation, those calls were embraced by other Iraqi powers and figures inside and outside the political process as the only way out of the Iraqi crisis, the basis for those reconciliation initiatives were several international experiences such as post-civil war Lebanon and South Africa – but excluding the case of Germany which was advocated by those who prompted Debaathification and rejection of reconciliation in Iraq." Al-Samarrie does not reject the reconciliation project but he believes that the efforts launched by the Iraqi government are inspired by the status qua not by a true belief, and is not truly convinced in reconciliation as a sincere effort to open up to all combatant or non-combatant figures opposing the occupation and the current authority. Al-Samarraie stresses that their attendance of al-Cairo Iraqi Consensus conference in 2005, which was held under the sponsorship of the Arab League in 19th November 2005, came out of concern about Iraq's unity and its historical ties to the Arab sphere, al-Samarraie believes that the correct path towards true reconciliation must first be a result of patriotic sincerity and to avoid monopoly of power and marginalization of others. In their view, the government-pushed reconciliation initiatives are based on the power groups and political party which monopolized power, with others being perceived as losers who should unconditionally accept what they are presented without true participation in any key decision that affects Iraq's present and future realities. They stress that political leaders must embrace dialog and shed their adherence to an authority based on sect-quotas and factionalism, while their reconciliation declaration must have clear-cut arguments and mechanisms directly addressing the factions it would like to hold dialog with, without any consideration for undesirable media attention.

In conclusion, it appears that the majority of political parties and powers, whether they are part of the political process or not, support reconciliation but each with their own reconciliation vision and with their own reservations regarding certain aspects. This reflects two facts with positive and negative connotations, the preliminary acceptance of all factions toward the idea of reconciliation and their willingness to hold dialog that could eventually lead to an agreement is an encouraging notion that opens up the possibility of actually exercising reconciliation on the ground. The negative aspect of the issue that directly affects the possibility of a tangible reconciliation is the lack of a coherent shared position that binds all participant parties in the political

process who should be responsible for holding dialog with others outside the process who are targeted by the reconciliation process in order to persuade them to engage in meaningful dialog that could meet some basic demands and facilitate the beginning of their involvement in the political process. Indeed, if participant powers in the political process do not make up their differences regarding the nature of reconciliation, then it is unclear how the project can be interpreted to reality in a manner facilitating dialog and understanding between parties targeted by reconciliation so as to be involved in political action through constitutional mechanisms.

It appears that the conflict amongst participant parties in the political process has practically affected reconciliation initiatives and prevented their accomplishment, this was especially apparent in two important occasions that could have led to considerable national reconciliation gains. The national reconciliation project of Prime Minister Nuri al-Maliki in 2006 was quickly opposed by the United Iraqi Alliance of which the PM himself is a member. The Islamic Supreme Council, Sadrist Current and al-Fadhila Party announced that they will not accept unconditional reconciliation with any faction, which prompted al-Maliki to declare that reconciliation will not involve those whose "hands had been stained with Iraqi blood," this is a vague statement and is not indicatory of whether it describes all Baathist as the ISCI and Sadrists desired or it exempts some of them, or if is it restricted to al-Qaeda and other terrorist organization in its periphery or it extends to include other armed groups. The conference itself was boycotted by the Sadrist bloc, the Dialog Council and the nationa Iraqi loc, all powers participant in the political process.

The second national reconciliation conference held in 2008 saw similar events take place, the conference was boycotted by the Iraqi National Accord presided by former Prime minister Iyad Allawi, the Accord Front headed by the Islamic Party, and the Dialog Front presided by Dr. Salih al-Muttlaq, the Sadrist bloc pulled out of the meeting afterwards.

The conflict towards reconciliation between parties participant in power negatively affected its performance, this prompts the initiation of a dialog effort that aims to find a clear-cut formula towards reconciliation and the implementation of feasible mechanisms prior to the actual commencement of the national reconciliation project, something that is still sorely lacking.

The disagreement over reconciliation between political powers and parties is not the only factor that shaped its fragile state and inability to carry out any tangible reconciliation, there are in fact other factors which contributed to this and it can be outlined from this researcher's perspective as:-

1. **Ideological and Theoretical Considerations**

Some participant political powers and parties notably base their ideology on traditionally conservative standpoints, a characteristic prominent amongst many political parties and powers with a religious or ethnic bent, those do not believe in pluralism as part of their core ideology. This calls for a comprehensive review to accommodate those ideologies to the shifting realities in Iraq that are largely based upon pluralism and power sharing today, The post-2003 change prompted those parties to recognize the rights of their adversaries to participate, but their ideological principles remained

unchanging and inflexible. Those principles do not encourage the culture of accommodation and embracing others, as each party believes that their own approach to a problem constitutes the perfect solution. Undoubtedly, this totalitarian approach does not serve the principle of reconciliation in any way, as reconciliation requires collaboration and understanding of others. Therefore, it is extremely important to review the ideological standpoints of many political powers and parties, especially those with a historical and grass root base; as such a review is extremely important for a new pluralist, inclusive Iraqi reality.

2. Organizational Approach

While many political powers chose their leadership cadres through internal elections, the decisive factor in choosing those leaderships is related to issues of charisma and personality that is often based on systematic inheritance. Since 2003, leadership figures for the majority of parties did not change, also confirming this approach are the many splinters within the organizational framework, with many figures going out of their way to form new blocs because the organizational hierarchy does not allow for change in leadership figures, or even allow the toleration of different perspectives through embracing others and dialog as a method to solve those disputes, which could explain the weak application of democracy inside those organizations which is reflected as weak political action in embracing others outside those organization.

3. Behavioral Aspects

Many political parties and powers participant in the political process adopt a mentality of political opposition, which is undoubtedly a negative approach to power, as it is based on confrontation and not dialog, this calls for a new approach in political behavior at this new stage that is based on open-mindedness, dialog and embracing others in a manner befitting national reconciliation.

4. Mechanisms to Exercise Power in the New Regime:

The mechanisms employed to exercise and share power in the new Iraqi regime post-2003 which laid the foundation for the transitional period of the Governing Council was based on sectarian, ethnic and religious factionalism, principles still held fast to by the participant powers in the government in spite of the issuance of the 2005 Iraqi constitution which stressed democracy and elections as basis for involvement in the government.
Factionalism deepens discrimination between political parties and powers, making each grow more attached to their share of governance and authority, it could also lead to the assumption by all parties that any participation from a new faction might affect their share of the rule. Political factionalism is in conflict with the essence of reconciliation which calls for all political parties and powers, within and outside authority, to be engaged in. Consequently, true reconciliation calls for the rejection of the currently adopted model of factionalism and to employ democratic means by fully embracing the results

of the ballot box, this enforces the spirit of citizenship and leads all to believe that true and effective changes can transpire in their lives, and that all members of political, intellectual, religious, sectarian and ethnic subgroups are partners in this homeland and can coexist in peace successfully.

Means to Enhance Political Parties and Powers' Role in National Reconciliation

As the points discussed above outline the fragile role of Iraqi parties in national reconciliation and draw an inevitably bleak picture for the reconciliation effort, there are many factors which render reconciliation potentially within reach, including:

1. Many political parties that became engaged in political action following the deposition of the previous regime chose to be involved in fronts and coalitions, which requires a considerable amount of compromise and understanding amongst the participants, this is especially true of those operating in exile. Examples of the creation of such coalitions include the Salah al-Din conference in 1992 and the London conference in 2002.

2. Many political parties have been and are still active in politics through political blocs that might shrink or widen, those include the Islamic Supreme Council, Patriotic Union of Kurdistan, Iraqi Accord Front, Iraqi National Accord, and others. Those include various sectors of the Iraqi community which include a variety of religious, linguistic, ethnic and sectarian components; this is out of realization of the importance of the fact that there are certain members who could be part of more than one group, with those groups overlapping with each other. By embracing those various subgroups, this overlap is translated into a cohesive state of national unity without compromising religious, sectarian, ethnic or linguistic uniqueness. For example, the Islamic Supreme Council was formed out of Sunni and Shi'i sectarian parties and Arab, Kurd and Turkmen ethnic powers and parties, it was also composed of the Iraqi Mujahideen Movement, the Islamic Dawa Party, Jund al-Imam movement, the Islamic Dawa Movement, the Islamic Labor Organization, the Islamic movement of Iraqi Kurdistan which later withdrew, and the Islamic Movement in Iraq "Aq'adiyoon." Beginning with the Iraqi-Iranian War until the fall of the ex-regime in 2003, the Supreme Council saw several changes happen to its organization, the Dawa Party and the Islamic Labor pulled out while Hezbollah in Iraq, Sayyid al-Shuhadaa and Turkmen Wafaa Movement joined in.

   The nature of such coalitions can also apply to the Patriotic Union of Kurdistan, which is a semi-coalition of secularist groups that are extensions for nationalist Kurdish parties and movements. This provides a strong incentive towards encouraging national reconciliation, for the establishment of groundwork for consensus and accord and to work according to binding characteristics that unite all factions without threatening the uniqueness of any.

   Undoubtedly, the progress of national reconciliation in Iraq is marching at a slow pace in the fields of political reform and national project development, which allows for the continuation of the security

obstacles facing the Iraqi community and the subsequent cycles of violence that would negatively influence reconciliation and might possibly tarnish much of its luster. Hence, reconciliation must not be dealt with as the principal case but as a package of major issues that are concurrent and connected in their resolution, those include the nature of the new rule based on political factionalism, the fragile authority of law and state, emboldened party authority, rampant administrative and financial corruption and the weak conditions of services and economic progress. All those issues are concurrent and they demand simultaneous solutions for reconciliation to produce its desired results. National reconciliation must be a collaborative effort with shared responsibilities by the government, parliament, all political parties, currents and figures inside and outside the political process and non-governmental organizations all working to vitalize government policies, promote its reconciliation program and national principles, and allocate it as a primary objective that enables everyone to coexist in Iraq peacefully. Thus, the national reconciliation is no longer a political slogan that is cast aside when its intended effect is expired, but is now an integral part of the realities of Iraq, and a foundational aspect in the state – transcending the status of a phase-based project into a project that is aimed to reproduce social cohesion as based on national principles in order to overcome the past, strengthening the principles of justice, coexistence and civic peace.

However, any earnest national reconciliation effort necessitates the participation of all Iraqis under all possible circumstances, unless they're proven to be involved in crimes against their own people. The experience of South Africa is a fine example in this regard, and so is the case of Algeria which issued in 1995 the "Mercy Resolution" which paved the way for armed groups to repent and be forgiven, enabling everyone to join the reconciliation effort in a manner embellishing transitional justice and facilitating the shift to democracy. If all those who committed violence –in the past and present- and their henchmen were brought to court at once then massive chaos would break out that could exceed the ethnic, sectarian cleansing, random explosions and forced displacement that we've witnessed so far. The scenario of Argentina which ended in amnesty bears some similarities to Iraq's present and past and offers a good example in its comprehensiveness, while South Africa shied away from tracking down the issue especially in regards to politically active figures debating the delicate transition into democracy as based on the rule of law and respect for human rights.

Nevertheless, reconciliation calls for comprehensive national dialog, with that each side aware of the intentions of other sides so that the first reconciliation step can be achieved in an air of transparency and honesty that does not marginalize any party.

In order for political powers and parties to play an effective role in reconciliation, it must achieve the following:

1. Invite powers and parties participant in the government to reconcile within the parliament, and to avoid political conflicts and the desire to monopolize power.

2. Building mutual trust which requires all parties and powers to take some essential steps in this regard, participant parties in power must recognize those who share the country with them but who are outside the political process. Respectively, it also requires of parties outside the political process to make some assuring gestures such as calming down political rhetoric in order to make way for a proper negotiation ground.

3. Ridding factionalism in all its political, sectarian and ethnic dimensions, as factionalism is a momentous barrier against national interaction and the achievement of reconciliation.

4. Employment of dialog as a form of strategy to interact with the various positions and viewpoints, breaking red lines preventing the participation of any Iraqi citizen or any old or new political faction to participate in the political process through democratic means. And the issuance of political parties law as it is unacceptable for an elections-based democratic country to lack a law governing parties and associations.

5. Integrating the efforts of political powers to vitalize the reconciliation project and to reach a common agreement between all powers in a 'national declaration' that governs civic peace and specifies larger reconciliation mechanisms amongst all factions. This leads towards the crystallization of a tangible warranty that must be clearly phrased without room for interpretation or ambiguity. This can be based on the resolutions of the Helsinki 2 conference held in July 2008 and its resulting agreement as a framework for joint national action, especially considering that most participant parties and figures had approved the terms of the agreement.

6. International organizations such as the United Nations, the Organization of Islamic Conference and the Arab League, and NGOs must exercise a larger role in urging all political powers and parties to carry out national reconciliation.

- Professor in Political Ideology – Baghdad University, College of Political Science.

Civil Society Organizations and the National Reconciliation Process

Mr. Jamal Aljawahiri

Iraqi Alamal Association

Introduction

The civil society has risen as a normal sequel for the historic evolution of societies, the development of the democratic process, and the growing necessity to merge the different social fabrics within the process of construction. On the wider scale, the civil society underwent hitherto different historical stages until it has crystallized to its current form. The CSOs are effective within their spheres and societies, and even on both the regional and international levels, hence they forced the international institutions, including the UN, to respect their opinions and orientations.

What are these organizations?! Their concepts?! Their elements?! Their developmental stages?! Their role in the society?! Here forth, we'll put these organizations altogether under the spot, thereafter we'll further explain their role in the national reconciliation process generally, and in Iraq specifically.

The Civil Society: A totality of free voluntary organizations which fill the general domain between the family and the state so that it can pursue the interests of its individuals, with sticking to the values and measures of respect, rapprochement, tolerance, and the wise management of variety and disaccord. In addition, they are completely non-governmental organizations

(NGOs) and institutions, which run separately, and have social goals and activities, that serve the organizations' purposes, as well as the society purposes, by and large.

The Definition of the Civil Society is Based on Three Concepts or Elements;

The first concept: The free voluntary action, as the civil society can't be formed except by the free will of its founder individuals, therefore, it's not like the traditional kinship relations (i.e. family, kin, tribe, etc…). The civil society is different from the kinship relation which works its will upon the individual through birth or entail, and it's also different from the state which work its will through nationality, or sovereignty and laws for every individual born or living within the sovereign geographical range. Usually, individuals join the CSOs to pursue an interest, or for defending a material or moral cause.

The second concept: The collective organization. The civil society is a group of separate organizations, where individuals or members become members with the totality of their own free will, providing that both the founding members and the new members accept the terms of the organization. Despite that the organization terms, or the members' rights and duties may change thereafter, however, still the base stone of the organization standing intact. Generally, this official or semi-official organization is what makes the very difference between the civil society and the society in general.

The third concept: The civil society is a moral and ethical place. It provides the acceptance of others and supports the variety between individuals, and it provides the right of any individual to establish any CSO that protects and defends their material and moral interests. Moreover, the organizations have to manage their disputes internally and between the different organizations, and between organizations and the state, in a peaceful civilized way i.e. the civil society values criteria and regulations which are respect, tolerance, cooperation, and peaceful competition and conflict.

The Concepts of the Civil Society

The civil society evolves from modern social and economical compositions, i.e. classes, professional categories, or any other interest groups. These changes in the Western countries were taking place synchronously with the capitalist and urban transformation, citizenship rights,

and the birth of the modern concept of the national state. Although the fact that the loyalty to the national state should follow that absolute allegiance of its citizens, as a normal embodiment for the whole society, however, a subsidiary objective allegiance manifests according to the individual self-interest, hereby the allegiance concentrates in the class, profession, district, etc… Thus, voluntary organizations emerge and their sphere extends to include the numerous interests of people, like political parties, trade unions, syndicates, clubs, and social institutions.

The relation between the civil society and the democratic transformation seems clear and logic. Democracy is a set of basis for ruling the state and its institutions by means of peaceful administration of the relations between the various competitive groups and discordant interests. Therefore, the fundamental measure for the civil society is the same fundamental measure for democracy. For instance, if we displace the system of the direct democracy in "Athens" or in "the city council", we'll find out that the CSOs are the best channels for public's participation in rule.

The Components of the Civil Society

There are different opinions explaining the elements which compose the civil society, and this may account on; one, the general hazy image of the roles and goals of organizations due to their different orientations. Two, the percentage of the real participation of the public in the structure of the organization. Realistically, some CSOs or associations have positive positions, which could change radically to be negative afterwards, especially the inheritable associations that usually play a deterrent positive role in cases of absence of authority, moreover they enhance the social relations during crises. However, they could have an impediment negative role if they didn't recognize their positive role and the righteous time which they should act on. It's clear now that a negative position for a civil society can withdraw the whole society to a vertigo of tribal disputes.

Otherwise, CSOs can keep the unity of the country citizens in case of the political parties' disputes, on the other side, they can support traditional leaders like what happens during the elections, and thus some scholars think that those inheritable or involuntary associations don't belong to the civil society; because they are using to break the very concepts of civil society.

Despite the insistence of dissecting the components of the civil society for academic purposes, it's not very necessary to verify an exact definition as a final   and   utter   yield   from   studying   the   civil   society.

The formentioned inheritable associations can be listed, openly and plainly, among the CSOs according to their role in the development of the society as a whole.

The Palestinian Dr Ziad Abu-Amr describes the CSOs in his book *The Society and the Democratic Transformation in Palestine,* and includes the following; tade unions, political organizations, *NGOs,* women organizations, students unions, professional associations, and even inheritable associations.

Generally, the civil society plays very important roles, whenever it enhances the public positive behavior, or when they help in qualifying and certifying the members with organizational and political skills. Furthermore, the powerful CSOs could exhort the state against uproars, take over the leadership in times of retreat or vacant authority, or participate in decreasing the tyranny.

The civil society has found its first political and legislative definition embodied in *the Declaration of the Rights of Man and Citizen* in 1789 soon after the break out of the French Revolution, when the citizenship concept has changed to its modern notion, or more objectively, when the idea of contemporary citizenship has started at all, and began to develop hitherto.

Since the French Revolution (1789-1799) and the synchronous transformations in the UK and the US, the civil society has been developing like a train, which stops by many stations to gain new values which enhance its indispensable form. The civil society's current stage, since 80s, is one of the stages that will lead the modern analysis of the structure of the civil society hereafter. Afterwards, a reproduction of an extensive network of the civil society would take a more professional structure and more distinguished diversity.

Defining the history of the civil society by searching through its current definition in the history would be wrong. Provided the current circumstances mean weaving the fabric of the individual social initiatives, *NGOs*, feminist and environmental organizations, or any other non-parliamentarian organizations, the demands of the likes of parliament, freedom of speech, freedom of assembly, or voting rights will be another stage of civil society development.

Habermas concept of the general sphere is much related to the non-governmental associations and organizations, which are formed by the citizens in their free time, not necessarily an economical related. The main advantages of this Habermasian public sphere are; one, the ability of the individual to join them voluntarily (upon contract). Two, the contribution to those organizations are upon rational bases, and indeed the decision taking is based on fruitful debates and sharing opinions.

The base of integration between the individuals in this sphere is the solidarity to achieve the goal. The goal is not a material profit, but a comprehensive understanding for the general sphere of the society, namely health, environment, culture, and even political wise. The strategy of the organizations in the civil society field can be for changing and influencing the whole society, or for practicing a parallel life-style to whatever traditional culture in their very society.

The civil society is the best mediator between the different social fabrics to enhance the dialogue and coexistence on the governmental level, other authority institutions, and even on the political parties and political institutions. Based on a non-sectarian, non-racist, non-regionalist, non-political, or non-religious bases, those institutions have wider unbiased concepts of tolerance, non-initiation of violence, and adherence to strong national identity. Those peaceful approaches evolve from the being voluntary formations, which don't have political greed. Clearly, those are very credible bases for righteous civil culture with concepts of acceptance of the others and fruitful dialogue between the different classes to reach a common ground.

The Civil Society in Iraq After the American Occupation

Following the overthrow of the previous Iraqi regime in 2003, many CSOs have floated on the surface all over Iraq, as an aftermath consequence, and as a result of an urgent desire, of those organizations, to participate in regaining the freedom to work independently, and as a motivation to choose the new political system, and to participate in treating the deteriorated humanitarian situation and the reconstruction process.

Since the very first weeks, the newly formed organizations worked in the activities of emergencies and relief by helping the harmed and emigrants with charitable and humanitarian aids, and in producing, in the absence of governmental fund, health and educational services, and water projects, especially in the neglected remote areas, and the regions that suffered armed conflict which resulted in the absence of basic humanitarian needs. Meanwhile, other institutions focused on raising the awareness of participative democracy and the critical importance of citizen enrollment in the future of his/her country, in addition to human, woman, and child rights, and enhancing the political process, especially the election process and constitution drafting, through targeting large population of the Iraqi society.

Despite the numerous impediments that have been facing the work of those organizations while fighting the bitter aftermath, especially during the insecurity of the situation and the lack of both financial and moral support. However, the organizations could empower themselves and provide great network of veins in the body of the Iraqi society, extended this network to

include various governmental authorities, and even to international organizations including the *United Nations (UN)* agencies.

It's important to mention the real dangers which workers in the CSOs were exposed to, from assassination to kidnapping, detention, intimidation, or scandalizing; to force them to stop their activism and effect on accelerating the democratic process and establishing of a sovereignty with the rule of law and justice.

As their activism continues, the CSOs try, hard on heels, to cooperate with governmental authorities, enhanced by transparency and the right to access information, and the partnership, with the cabinet, to form the national policies of the state , their execution, evaluation, so as to get together the participative model of democracy, which merges the citizens on all official levels, legislative and executive; for endorsing the organizations' engagement in the decision-making process, which guarantee the freedom and the independence of the organizations work as stated in the Iraqi constitution. The state authorities should provide the CSOs with the appropriate finance and facilities as an essential copartner and not as public service providers or complementary organizations, and that doesn't put those organizations, on any case, beyond the reach of the law.

The partnership in forming the public policies of the state indeed means opening wide channels for different flows to redraft the constitution and other legislations, like the civil society, private sectors, trade unions, and any other political movement whether from inside or outside the Council of Representatives. The partnership in reforming the Iraqi constitution from different national associations, organizations, and institutions would guarantee the essential respect, protection, and execution for its articles.

Civil Society Organizations and the National Reconciliation Process

Civil society organizations have many advantages that may enable them to play an effective role in portraying a positive image for citizenship and national unity, as follows;

1 – Neutrality.

2 – Independence of decision-making.

3 – High effectiveness, especially after the extensive development of networking.

4 – The wide range of social and geographical effect.

5 – The societal legitimacy as a result of manifesting the voluntary and the non-profitable sides of the organizations work.

The CSOs could empower the principle of citizenship, which is considered the real concept for the national unity, through the following;

– Spreading the culture of citizenship and non-violence in their varied programs and activities.

– Spreading and development of the culture of dialogue, respecting the opposite opinions, and renunciation of the practices of exclusion and marginalization policies against any race or class.

– Development of their programs to combat ignorance, under-development, and illiteracy.

– Development of awareness campaigns, and spreading the knowledge on international agreements and protocols related to Human Rights field.

– Establishment of principles of the participative democracy and reconstruction of Iraq.

– Coordination, networking, and impact to redraft the constitution, exclude it from the entire racist, sectarian, or any other discriminative forms, and abolition of all the articles conflicting with the national unity, or threatening social fabric.

Since 2004, Iraq has undergone a wide range of political and economical deterioration that was alerting for a catastrophic civil war, which could paralyze the whole country. Subsequently, many sacred and worship places were destroyed, and the assassination of many clerks, academics, army commanders, and Iraqi people from all the ages. In addition to the spread of the terrorist groups, bombing cars, explosive devices, kidnapping, and forced displacement which included thousands of citizens whether inside or outside Iraq. The big number of victims is enormously rueful, let alone the destruction of the infrastructure of the national economy, spread of sectarian violence and assassination, the disreputable behavior which extended to schools and universities that threatened the educational institutions in turn. Basically, the warfare threw its shadows on Iraqis life, politically, economically, and socially.

Some Iraqi *NGOs* have initiated several endeavors trying to bridge the gaps inside Iraq, following the deteriorating situation, stressing in their programs covering Iraq wholly on the likes of non-violence, dialogue, coexistence, and crisis management skills for youth specifically, and society on the wider scale. In addition to real programs that tend to form a peaceful dialogue between the different parties, forming governorate, regional, and national conferences, and providing financial support to the harmed families to

decrease their suffering. According to a survey done by *Iraqi Al-Amal Association (IAA)* in Ramadan 2008, approximately 21% of the harmed families had financial supports from *NGOs*. The *NGOs* worked on Dialogue Programs between different Iraqi youth and categories, and these programs targeted schools, colleges, institutions, districts, cities, governorates, and even on the national level. Many *NGOs* had the opportunity of training and qualifying the leaders and trainers inside and outside Iraq, so they can work professionally among their organizations, or the society as a whole.

The programs were funded by international institutions and organizations, for instance, *the United Nations Development Programme (UNDP)* which funded the National Dialogue Program in both phases. The program included many civil activists, media, judiciaries, academics, and political and religious figures. The funds also helped different *NGOs* to work directly with people. In addition, *the United Nations Office for Project Services (UNOPS)*, which funded more than thirty local organizations to implement projects in favor of the Iraqi National Dialogue, and the dissemination of concepts like non-violence, local dialogue initiatives, and peaceful coexistence. Those projects targeted many categories, like the primary and secondary school students, university students, governmental and NGOs workers, and local councils members, that helped a lot in setting a healthy environment for the civil work regarding conflict resolution and societal peace, and hence encouraging the *NGOs* to direct towards projects which could relieve the tension inside the Iraqi society.
Different *UN* agencies, like the *United Nations Development Fund for Women (UNIFEM)*, cooperated with the *United States Institution of Peace (USIP)*, *Canadian Development Agency (CDA)*, *Mennonite Central Committee (MCC)*, and many European (Deutsch, Dutch, Spanish, and British) and other organizations. The accumulation of different nations history, embraced with the international and Arabian experience were all very useful boosts for the *NGOs* civil work.

The National Dialogue Program was carried out by the *NGO Coordination Committee in Iraq (NCCI)*, and was funded by the *UNDP*. The program was designed by Iraqis for Iraqis, and contained most of the challenges, which face Iraq in the current times. During the 13 rich workshops, a toltal of 269 Iraqi participants, from both genders, have participated in the workshops; academics, media workers, lawyers, NGOs, parliamentarians, unions, tribal chiefs, religious leaders, and many others from different regions and ethnicities. In the secure and neutral environment of Amman, Jordan, all the participants, through only peaceful dialogue, have surpassed the shadowing tension, and announced that the national disputes affect all Iraqis, moreover they all declared that they seek for peace, prosperity, and unity for Iraq. They concluded that the national dialogues are the best resolution for conflicts, and

the rule of law on everyone is considered the basic solution for many issues, including violence. And also that the legitimacy would be threatened, if some special groups favored their own interests over the national interest. They focused on the independence of media, so it could play its inspiring law for promotion of the rule of law, in addition to securing the media workers. The workshops outcomes also stressed on the insistent need for an active civil society for conflict resolution and the promotion of democracy.

The workshops outcomes also recommended the parties concerned to help empowering the NGOs, media, academics, and unions by all possible means, and increasing the understanding on their roles in the awareness of the National Dialogue, Human Rights, and questioning the authorities about the good governance. Afterwards, they recommended a second phase for the program to be held inside Iraq. A group of the participants who returned to Iraq emphasized on the importance of continuing the program and they prepared a work strategy, which was later called "The Right to Live in Safety Campaign."

The campaign was supported by the *UNDP*, and has targeted more than 6000 individuals, who many of them were university students. The campaign was implemented by 49 professors from Baghdad University, and 49 participants representing 43 Iraqi *NGOs*. The were empowered in the fields of conflict resolution, communication skills, human rights, project management, and facilitation to become peace messengers.

The participation of youth in the campaign was high, and their engagement in different activities was more than 53%. Meanwhile women participation was higher in general and efficient; in the activities it reached 59%, and in the training it was 46%. The good coordination between the participant *NGOs* resulted in an increased impact on the targeted groups, development of skills, and experience accumulation. The campaign concluded that the focus should be more on qualitative than quantitative imapct when selecting the targeted groups, as the qualitative goals have long lasting impacts. Peace building is a long and hard process; it can't be completed without the participation and involvement of all efficient parties. The participation of the government, CSOs, local leaders and all sectors of society will improve the possibility of sustainable peace in Iraq.

The initiative of the Arab League for a national conference for national unity succeeded. The conference was held in the end of 2005, with engagement of many political, religious, and nationalist movements. *Iraqi Al-Amal Association* was chosen as representative for the Iraqi civil society. The conference recommended the promotion of participation of the CSOs in the national reconciliation process; as the activists of the Iraqi civil society don't

aim to be in power. They work away from racist, sectarian, and political purposes.

As a consequence, an initiative was formed with the collaboration of 10 various-orientations Iraqi *NGOs*, taking into consideration an equal regional and gender representation, to hold another conference, for the CSOs, which precedes the official conferences for parties, and political and religious organizations. Consequently, 3 regional conferences took place, with approximately 345 representatives from 260 Iraqi *NGOs* from most Iraqi governorates. Finally, a collective conference was held in Baghdad in March 2007, with more than 100 PMs and governmental figures, activists, and media workers. The dialogue was frank and open, without fanaticism, which reflected a mutual awareness and desire of everyone to open wider channels for decision-making future.

The most important outcomes of the formentioned conferences were the objective constitution review, with exclusion of any racist or sectarian forms of discrimination. In addition to cancellation of the article 41 which is related to the personal status law, the importance of adding the international agreements and protocols to the Iraqi constitution, the independence of the judicial system and fighting the Shi'ite Hawza Judiciary, emancipation of the illegal militias and their engagement in the civil work, but not in the military or national security services, for the good of the whole society, and also stressing on the independence, freedom, and neutrality of the CSOs, plus the role that they play to increase the awareness for the righteous concept of citizenship, human rights, rule of law, and the spread of non-violence concepts among people.

Culture for All (CFA) is an association, which initiated a petition in 2006, by which it invited the society, governmental organizations, *NGOs*, and the political movements for solidarity to fight the sectarianism and all forms of violence and extremism. The petition was signed by about 300 Iraqis, including academics, clerks, tribal chiefs, activists and politicians. It was officially announced in May 2006 in a conference attended by more than 80 Iraqi persoalities, including personalities who didn't sign the petition.

There was another initiative for the *NGOs* for spreading the art and sport awareness between the Iraqi youth, which gathered many of them in various sport events, like football, marathons, and other activities. Many governorates were included like Baghdad, Kirkūk, Babil, Diyala, Mosul, etc… These activities could break the ice between participants, let alone the further communication between them.

Although the organizations still looking forward for further development, however the previous programs were able to exert a recognized influence

upon the participants. Here are some reasons from previous experiences which may guide the future of the civil society work in Iraq;

- The poor experience of the Iraqi *NGOs*.

- The poor experience of the organizations and civil work in general; because they concentrate on the humanitarian, relief, and charity works, far off influencing the policies for the development of society.

- The shortage in human resources and the appropriate funds.

- The shortage in the number of qualified trainers for leading such programs.

- The poor coordination between different *NGOs*, which decreases the ability to learn from past mistakes and gaining the experience from other NGOs which already undertaken such programs and accumulated a good deal of experience.

- The lack of planning for initiatives and activities. In addition that some of them have taken place according to the orientation of the funding organization, but not according to the real needs.

- The lack of coordination on a higher level between NGOs from one side, and government, religious, and political institutions from the other side.

The national reconciliation process requires the involvement of the CSOs, government, judicial and legislative authorities, and media. It's a long complicated process, which requires good planning and preparations, away from media propaganda, which may result in inappropriate outcomes, or it may also increase the national tension instead of decreasing it. National qualified experiences should be available to manage with the negotiations and trust-building between the different parties. The negotiations which may be economical, social, political, or legislative, all fully dependent on transparency, neutrality, and to all upon their accomplishments, far off any sectarian or political forms of discrimination. The amendments of legislations should guarantee the natural right of the Iraqi citizen, and endorse their real engagement in the reconstruction of their country.

Finally, we believe that the most critical role for the Iraqi *NGOs* is the real partnership to reconstruct the country, and that means, by and large, that they should have the fully functional right to legislate a fair law which guarantees their independence and freedom, away from authorities intervention in the civil work.

Role of Regional and International Organizations in Iraq's National Reconciliation.

Dr. Ali Assaf

FOREWORD

Following April 2003, Iraqis were filled with careful, anxious anticipation. Iraqis wished for the process of democracy, freedom and rehabilitation of Iraq's infrastructure to begin, and to build human values based on the principles of justice, equality, and human rights, in order to improve social conditions in a manner that allows catching up with the progress being made at the global level.

These hopeful expectations did not last for long, as signs of discord and hostility dominated the scene as sectarian struggle ensued, the latter taking an explicit turn following the explosions of Samarra in February 2006. Reasons include the major mistakes of the occupation forces, in addition to the conflict of interests of blocs that were supposed to have a united Iraq as their first priority and not be pulled into the dynamics of sectarian conflict, those blocs favored their own interests or the interests of their backers over Iraq's. All this played a palpable role in adding fuel to sectarianism's raging fire that has been eating up everything since the fall of 2003, not to mention

the conflict of interests between neighboring states and Iraq, which led to Iraq becoming a stage for settling scores and killings. Violence became rampant and it intensified on a daily level for a period that extended up to two years.

If we would apply the cost-benefit scale, following any criteria, then it would be obvious that those conflicts and wars have left everybody the loser, not a single power at the Iraqi political scene did not come out without a loss, however minimal, neither the government nor the political and religious parties. The biggest loser, however, were Iraqis collectively, as such struggles hampered the progress of development and put the reform and reconstruction process on hold.

PEACE BUILDING

Before going into any detailed description of the role of international organizations in the reconciliation process in Iraq, I must admit that I consider myself an observer more concerned with the formation of struggles and the causes of conflict escalation than being an academic scholar, I find this an advantage as I'm attracted to reasoning and recommendations in spite of criticism over the terminology used as they are not applied by the observer/activist with the scrutiny advocated by academic research.

There is no doubt that peace building must be simultaneously target several levels in society, if our objective is to march towards a permanent peace process - following the process of reconciliation and accommodation - that must adhere to the grassroots-up framework that requires awareness and formulation of peace on local levels in accordance with the characteristics of local conditions.

Things in Iraq are not very much different from many other areas in the world, the closest examples that springs to mind are perhaps those of South Africa and Ireland.

In both of these cases, internal factions alongside decision-makers pushed the course of events towards peace, they were promptly supported by a great coalition of peace supporters. In spite of all the hurdles and terrible bloodshed that challenged the first peace initiatives, and led to more terrible forms of

violence, the peace process did manage to come out triumphant in the long run.

To quote John Lederach, of the US Institute of Peace: "Any process of reconciliation ought to be dynamic, adaptive, and effective. It should be able to course its way amongst the dissident powers, whose existence depend on each others, they will push each other towards truth, forgiveness and peace."

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1. Lederach, US Institute of Peace

National Reconciliation in Iraq:

We are going to discuss the role of international and regional organizations that were present in the reconciliation project and road map, the activities of those organizations, the outcome of those activities, issues of executive mechanisms, tracking, notable achievements, successes and failures. This role was auxiliary in part of its activities to the rest of the important roles which governmental and political factions played. The organizations acted as partners as each one had its own role and duty to achieve domestic peace and to "set the foundations for democratic construction that undoubtedly requires an active role of law, objective debate, rejection of violence sectarianism and extremism, resolving the security complications, putting a stop to factionalism, belief in democratic, patriotic options, vitalizing the desire for reconciliation, propagating the culture of forgiveness and amnesty, quelling the desire for vengeance, firm belief in justice and equality, construction of robust infrastructure that accommodates the growing needs of Iraqis in tandem with our surrounding region and the rapidly advancing modern world." [1]

This paper will not delve into activities by "agencies" presenting themselves as organizations, but who are linked through loyalty, funds, principles, behavior or political stance to local, regional or international political factions.

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1. Al-Dalfi, Kamil – 2007 – Progressive Center for Women Equality Studies and Research.

United Nations

Due to its position as the international body whose responsibility is to strive towards preserving global security and stability, and to preserve the independence of its members, The United Nations face the largest share of criticism for its actions in Iraq, both from inside Iraq and abroad.

The role played by the UN has an ebb-and-flow characteristic that signifies the size of external influence on UN resolutions, the source of this influence and the degree the UN responds to that influence. The UN funding or member shares of the UN budget represent the most important and obvious of those influences.

The United States of America has exploited the issue of not paying its quota to the UN as a pressure card on the UN to steer its resolutions towards a unipolar dominating power that runs or at least influences the world's decisions. Nevertheless, we should mention that the efforts of this international body have had many positive effects on humanitarian work in many world countries through its various agencies and organizations. Regardless, this role was not very manifest in Iraq, and until 2007 it was virtually nonexistent.

The UN's relationship with Iraq can be outlined through important points, including several Security Council resolutions, some of which are:

- Security Council Resolution No. 1483, May 2003 : Which described US and British presence in Iraq as an occupation that must abide by resolutions and charters outlining the nature of the relationship between the occupation and people under occupational law, as well as the occupation's responsibilities and commitments towards preserving the potential and resources of the occupied people.
- Security Council Resolution No. 1500, August 2003: Which officially announced the formation of the United Nations Assistance Mission to Iraq (UNAMI) for a preliminary period of 12 months, in order to help the UN secretary-general in his mission, it served as a supplementary

mission to UN work following the completion of the Food For Oil program on the 21st of November, 2003. The mission began operations at the 1st of September 2003 and contributed to the formation of the Independent Electoral Committee in Iraq in May 2004.

- Security Council Resolution N. 1546, June 2004: Regarding the end of occupation and the emergence of an interim, independent and fully sovereign Iraqi government, as well as helping in organizing a national conference to elect an advisory council that provides assistance and counsel to the Independent Electoral Commission in Iraq and to the Interim Iraqi Government. Based on the "request" of the Iraqi government UNAMI "participated" in providing "support and advice" in the constitution drafting process between May and October, 2005.

- Security Council Resolution N. 1618, August 2005: Which called upon the international community and neighboring states to fully support Iraq in its battle against terrorism.

- Security Council Resolution N. 1770, August 2007: which greatly expanded the role of the UN in Iraq and it also demanded the UNAMI to deliver "assistance, support and counsel" to Iraqis according to the new delegation, as the previous delegation only stressed assistance in elections and monitoring human rights.

  The delegation granted by the 1770 Resolution to UNAMI includes demands for UNAMI to provide assistance, support and counsel regarding the following issues:

1. Pushing political dialogue and national reconciliation onward.
2. Reviewing the constitution, delineating disputed territories and conducting a nationwide census.
3. Supporting talks between Iraq and neighboring states regarding issues of border security, energy, refugees and helping in returning millions who fled because of violence.
4. Coordinating reconstruction efforts, assistance and aid efforts in supporting economic reform.

A quick glance at the aforementioned clauses reveals that they collectively form "a procedural project of an executive affectivity," In other words, a strategy of national reconciliation.

An observer of the Iraqi affairs and its relationship with the UN must state the number of criticism often made regarding the post-2003 activities of the UN which includes:

1. Distrust of the UN by Iraqis, the UN did not play any role or took any action when the war on Iraq was declared in 2003, preferring a spectator position.

2. UN's unclear role on ground post-2003 and the absence of its staff from the Iraqi scene even before November 2003, which was when the UN staff were pulled out by a ruling from the secretary-general following the attack on UN headquarters in the 19th of August, 2003. The secretary-general promptly reviewed the granted authorization and moved the office headquarters to the Jordanian capital Amman, prohibiting international staff from going to Iraq except for urgent humanitarian assistance missions during emergency or security operations, the concern for the safety of employees became the most crippling setback against potential UN activities in Iraq.

3. The UN had no discernible effect or presence during the elections held during the 30th of January 2005, or even in the preparatory phase, preferring an observer position while the American side took liberty to make decisions alone, in spite of the great importance of its presumable role especially since several Iraqi parties relied on the UN's role to participate in the elections midest appeals for international guarantees and a committee supervising the elections.

Dar al-Salaam Initiative (Baghdad Peace Accord)

This initiative emerged in the fall of 2006 based on the suggestion of the UNAMI office in Baghdad, at that time, Baghdad witnessed over 50 bodies and hundreds of displaced refugees on a daily basis. This initiative was a call to end violence in order to allow space for political dialog, to build foundations for a reliable accountability system, to set the framework for national unity in an attempt to help solve disputes and to make use of contributions or ideas presented or initiated by individuals, local NGOs or Iraqi think tanks. These contributions were present before the initiative but failed to secure results. This initiative formed a peace agreement that binds both the approved principles and the mechanisms needed to execute the suggested agreement.

The focal part of the Baghdad agreement was conducted by the United Nations represented through UNAMI, inviting members of the government, politicians, religious figures, police, businessmen, scholars, women and youth groups, and other NGOs personalities to sign it, the agreement was based on basic principles like protecting civilians and condemning the use of violence. The agreement called for the formation of frameworks to support the agreement, those are the focal local peace committees in the neighborhoods of Baghdad, those are composed of community leaders and influential peaceful individuals, it also involved the formation of a network to exchange information with the objective of tracking major human rights violations, it serves as a database for violence-related information that could help authorities in executing development programs and to act as an intermediary in some cases. This agreement had additional characteristics distinguishing it from other peace efforts, those being:

1. The agreement is unconditional, and aims at attracting a wide spectrum of active political, religious and social groups and their loyalists.
2. The agreement also includes police forces and other entities, with a strong presence of civil society.
3. The agreement includes the planning for a peace conference which political, religious, tribal and community leaders attend.

Unfortunately, this agreement failed to materialize. Its mechanisms, and tracking procedures could not be realized and violence was too strong for such an agreement to endure whereas most parties did not strongly believe in its ability to offer a durable solution.

After the UN mission departed from Iraq following the 19th of August, 2003 explosion which targeted the UN mission headquarters in Iraq, the UN role was marginalized. The explosion caused the destruction of the building and the death of mission head De Millio, a person who played an exceptional effort in coordinating the efforts and viewpoints of Iraqi parties towards the crystallization of a cooperative framework that serves to shape up the new Iraq, the role of the UN was never principal in the first place, and it was weakened further due to the transfer of most UN offices to the Jordanian capital Amman, forcing the UN to reassess conditions in Iraq periodically, working via remote administration which is known for its procedural complications, the overabundance of connecting links and weak tracking mechanisms, leading to fragile outcomes on the ground.

Through its Human Rights office, the UN mission had issued human rights reports about Iraq that highlighted part of the human rights violations. Including the marginalization, elimination and targeting of Iraqi academics and brainpower, and the exploitation of public resources for objectives that often served violence, which was all engulfing at the time. Those reports largely shied away from pinpointing the responsible for that violence, or to name or accuse any certain figures, they could not even refer to the facts without softening them. While this is understandable considering the humanitarian aspect that seeks to protect the lives of those working in the

mission, but it should be mentioned that the walls of the Green Zone still houses offices that can provide a safe haven for a voice that wants to convey the truth.

What we've stated above does not necessarily degrade the work of the mission or the efforts of its staff, however those efforts were largely focused in their entirety to foster the activities of the Iraqi government and to develop its abilities to execute programs or obligations, and this will be discussed this elsewhere. It is quite reasonable to say that only a fraction of the potential and efforts of the UN was steered towards local NGO or civil figures, let alone those who were under the sponsorship and umbrella of the Iraqi government's activities and those who embroidered the government's own programs.

We must also highlight the activities supported by the United Nations Office For Project Services (UNOPS) which helped local NGOs to launch activities enhancing the concepts of citizenship and peaceful coexistence, tolerance and peace building. But in spite of the large number of workshops, training and discussion groups held, the effect is not satisfactory in relation to the number of those activities, we can highlight the weak monitoring and evaluation mechanism for most of those activities (projects) as the foremost reason, as well as the lack of an impact measurement device with a projected time span beyond the duration required to execute those activities. This led to most of them being rehashes of previous projects and their projected outcomes were not achieved in the desired manner.

We must also cite the efforts of the United Nations Development Programme (UNDP) in supporting the NCCI project (NGOs Coordination Committee in Iraq) which began as a national dialog project and then expanded during its next stages with a number of activities varying in accordance to the program stages and the outcomes of each stage.
We do not want to discuss strengths and weaknesses of this program, as we cannot present an entirely objective assessment since we are part of

the program, but we can say that this program – of which this study is a part – has a number of distinguishing characteristics that sets it apart from similar endeavors:

1. The program targeted a wide-ranging spectrum of the Iraqi community and decision-making levels. The reaction of the participants, their constant presence and their self-commitment to the outcomes of their activities and their application on the ground are all undisputed, nevertheless, the variance of participants selection which embraced government members, MPs, politicians, religious figures, businessmen, academics, media personalities, NGO and civil society activists all served to create a far-reaching arc in the program's impact that goes beyond the participants and their close circles.

2. The program stressed the translation of its activities outputs from reports to community engagement projects benefiting the public community, through providing the mechanism and human resources to follow up its on-site execution.

3. The program produced several activities, not all of which were of the routine variety but some employed other tools such as theater, photographs, social and individual daily activities to convey its message.

4. The program included a minitoring and evaluation system that involved more than one party in the system so that evaluation can be done in a cooperative mode and so the influence of activities can be horizontally and vertically relayed to other levels.

5. The program interacted with other experiments such as those in South Africa and Lebanon, not through emulation but dialog, constructive debate and to make use of some of those who lived through those cases.

6. Striving towards creating a long-term impact through a number of activities, the most notable of which is this study.

This only serves to point the role of the UNDP and its results, another research paper will discuss the activities of this program analytically and in detail.

The Organization of the Islamic Conference and the Mecca Declaration

The Organization of the Islamic Conference had no presence in the Iraqi scene except through the Mecca declaration which was proposed in the midst of a turbulent, warring climate clouded with daily mass killing and economic faltering. In the absence of any national Iraqi consensus that represents an Iraqi majority that includes all ethnic and sectarian components without prioritizing factional interests over the national ones, not to mention the negative foreign interference exercised by influential regional powers inside Iraq to lay waste to any tangible political progress, it was imperative that all national entities seek an exit that leads outside the bottleneck and to open a new page to foster internal debate and national reconciliation for a stable, secure country.

And so the Organization of Islamic Conference (OIC), supported by Saudi Arabia launched this initiative that aims to put a stop to the sectarian strife and to unite the hearts and minds of Iraqis, sealing the door in the face of discord and factionalism. Saudi Arabia called for the meeting to be held on its own lands, considering the critical conditions of Iraq, it required a decisive and bold stance that must be transparent and unflinchingly honest, as both Sunni and Shiite sides must be mindful of their responsibilities in achieving the hopes and aspirations of Iraqis.

The Mecca declaration was signed in the 20th of October, 2006, it was borne out of an initiative launched by the OIC secretariat general and with the participation of the secretariat general of the International Islamic Jurisprudence Academy, it was signed in Mecca by the OIC secretary general Akmal al-Din Ihsan Oglo and Muslim scholars from Iraq and abroad, the declartion consisted of ten points, complemented by Quranic verses and

narrations of the prophet aimed at quelling sectarian struggle, the declaration included:

1. The forbidding of murder, regardless of the sect, religion, ethnicity or sex of the victim.
2. Forbidding any physical, financial or sexual assault.
3. Forbidding any attack on houses of worship, Muslim or otherwise.
4. Forbidding the declaration of other Muslims as unbelievers, and the application of foul language by both Sunnis and Shiites, and stopping mutual accusations exchanged by the two sides.
5. Adhering to Islamic unity and preserving it from schisms, and from assaults on houses of worships of Muslims and non-Muslims.
6. Stressing that Sunnis and Shiites become united in working for Iraq's independence and unity.
7. Stressing the need for all of Iraqis to unite in working towards ending the occupation of the country through constructing the appropriate economic, military and political capabilities that guarantee Iraq's independence.
8. Stressing the terrible danger in committing crimes in the name of Patriotic sectarianism.
9. Reminding the Iraqi government of its duties in enforcing security, protecting the Iraqi people and providing means of income to all Iraq's sects and ethnicities, and to promote justice amongst Iraqis.
10. Supporting all efforts and initiatives aim at accomplishing complete national reconciliation in Iraq.

In spite of Mecca's declaration inclusion of issues that are relevant to the core of the crisis which was at its highest point at the time the declaration was signed, those who signed the charter did not possess the mechanisms required to apply the Mecca meeting recommendations or the on-site presence to follow up execution, not to mention the declaration's lack of a coherent program that translates its articles to tangible action on the scene.

Arab League

The Arab League authorized the heads of its mission to Iraq to propose a number of pan-Arab ideas, suggestions and proposals to be executed on the Iraqi scene as an expression of an Arab vision to communicate with Iraq and aiding it to get out of the crisis, the Arab League attempted to play an advisory role in the political process in Iraq side by side with its role in reconciliation to signify the human and social dimension of Arabs in Iraq, this is done through execution of a number of micro-projects concerned with humanitarian affairs, such as those tending to the conditions of displaced and refugees inside and outside of Iraq, it is also concerned with the social strata hurt from military operations and their effects, those include handicapped people, orphans and widows.

The Arab League made contacts with various Iraqi entities in the interest of national reconciliation, reminding them of their responsibilities in the reconciliation process and the relationship between the Iraqi powers with current issues such as the status of detainees and prisoners in Iraqi prisons who are there without trial, and the return of a number of Iraqi officers to their positions especially those who played no major political role during the ex-regime era.

It should also be mentioned that Arab states have some obligations towards Iraq in accordance to the resolutions of Arab summits held post-2003, no mechanisms were implemented to carry out those obligations however.

The Arab League persistently described the conditions in Iraq as 'critically alarming' and '[Iraq] is passing times of a major catastrophe', they held national reconciliation conferences in Iraq in an attempt to compensate for the absence or marginalized role of the Arab initiatives regarding conditions in Iraq. While late in coming, this has been the most notable Arab diplomatic move towards an effective role in Iraq, inherently expressing an official Arab

acknowledgement of the absence, or marginalization of the desired Arab weight in Iraq.

Regardless of the conditions of the Arab League and its effective potential, the Arab role had been a demand by more than one Iraqi power to participate in resolving the Iraqi situation, in spite of the presence of two crippling issues. The first regarding occupation, and the second is related to the issue of bringing together viewpoints of the various sects and components in the Iraqi scene, who are increasingly growing apart from each other.

The chances of an Arab role to succeed are dependent on several factors that could be summarized as such:

1. Due to cultural, historical, geographic and demographic considerations (Arabs are no less than 82% in Iraq), Iraq remains an Arab state.
2. There is a desire inside Iraq for an Arab effort with a pan-Arabist bent that complements national Iraqi interests
3. Arabs hold a cultural, spiritual and social responsibility towards rescuing Iraq from its plight, as the flames that could potentially emerge from an Iraqi catastrophe will not stop at Iraq's borders. This makes an Arab presence a necessity of the utmost importance that has a higher priority over any international role that seeks to contribute in curbing such a catastrophe.
4. The Arab role is not solitary or distant in its performance or mechanisms from the international, regional or local players. It should act as part of a cooperative effort that could positively influence the situation in Iraq.

Based on all this, the Arab League implemented a five-point plan:

First: National consensus or agreement, in other words the national reconciliation that should be realized and that everyone, including the Arab League, the United Nations, the European Union, Coalition Forces, Iranians, and Iraqis themselves must hold a conference that brings all these powers together to discuss the future of Iraq.

Second: Setting a timeline for the withdrawal of Coalition forces.

Third: Stresses the need for the United Nations to play a larger role than simply drafting the constitution or monitoring this or that issue.

Fourth: Iraqis must take into consideration that there is an Arab safety net to fall back on, even if there were some delicate issues touching upon Arab public opinion, such as the occupation and regional interference in Iraqi affairs, as ignoring the Iraqi situation will create great tension in the region, and so more than one Arab side was invited to play a greater role through the Arab League since it represents the Arab safety net for Iraq at present and in the future.

Fifth: Rebuilding Iraq. It is simply not acceptable for Iraq to have such shamble realities with it being a resourceful oil-rich country. It is increasingly necessary for an Arab role to crystallize with a proper weight in the Iraqi scene, in the degree appropriate to the mutual sense of importance between Iraq and Arabs.

The Arab league held a number of conferences regarding Iraq, including:

1. The First National Conference Summit held in November 2005 at the Cairo Secretariat General headquarters, it was attended by over 84 of heads of the political blocs and Iraqi clerics.
2. The May 2006 conference at the Cairo Secretariat General headquarters, attended by public and political Iraqi components.

Those two meetings set the stage for Iraqis who have taken it upon themselves to execute a national reconciliation program announced by PM al-Maliki, it has five axes: Tribes, Women, Iraqi academics, military powers, and religious clerics. The program enjoys a sound and strong public backbone favorable to reconciliation.

Those meetings were followed by other meetings, including:

1. Cairo meeting at the 12th April, 2006: Meeting of the foreign ministers of the Iraq neighboring countries + Egypt.
2. Jeddah Meeting, 18th September 2006 : Meeting of the Interior Ministers of the Iraq neighboring countries.
3. Kuwait Meeting, 31st October 2006 : Preparatory meeting for the International Compact Initiative, an initiative for a new partnership with the International Community, the meeting was attended by representatives of 14 Arab and Foreign states, in addition to eight international boards and organizations, plus an Iraqi governmental delegation.
4. Baghdad Meeting, 10th March 2007 : An expanded regional meeting that includes the Iraqi neighboring states, Egypt, Bahrain, the five permanent UN security council members of France, China, Britain, United States, France, the Organization of Islamic Conference and the Arab League.

What has been stated regarding the OIC and its role in Iraq can also be said regarding the Arab League too, while the Arab League secretariat general sought to put suggestions and proposals to help resolve the Iraqi conditions, it has all been theoretical so far, for more than one reason:

1. Lack of a joint Arab vision regarding solutions, which, if present lack consensus.
2. Some Arab states lack the desire to play a positive role in Iraq, either because they have their own agendas or what was happening in Iraq aligns with their interests. Additionally, some of the Arab states took a nonchalant spectator position or minded their own issues.

3. No mechanisms were put in place to execute the proposals or suggestions resulting from any conference or meeting, due to lack of resources, willpower or on-site presence needed to follow-up execution.

EUROPEAN UNION

World War II resulted in a number of tragic disasters for European states, causing a major traumatic upset for the European public and governments, which made them forego future forays into large-scale combat, and so European participation in the 2003 Iraq war was largely symbolic. France and the European Union had shown willingness to play a supportive role for the UN in Iraq, assisting in the application of resolutions especially in fields which they have expertise in (state of law, human rights, rehabilitation, education, humanitarian aspects, health.) the European Union commitment to rebuild Iraq since 2003, represented by a sum of 800 million Euros, is especially oriented towards establishing an efficient, democratic system of government and assistance in providing basic services (education, health, etc…). As things "go back to normal" it calls for the presence of diplomatic missions in Iraq, there are about 12 EU states represented in Baghdad, alone representing half of the entire number of diplomatic missions in Iraq, which is a good sign of the trust Europe has in Iraq's future, a trust which ought to be shared in the region in the greatest possible manner. Europe has committed approximately 2.5 billion dollars to rebuild Iraq, most of these funds are being presented through the United Nations and the World Bank as Europe's direct contribution in Iraq. The European Union concluded that foreign policy suffers shortcomings. Most importantly the lack of a joint, effective position towards Iraq, especially in the field of post-war reconstruction and the credibility of the European Union in this regard.

Even though the UN helped indirectly in supporting the effort to bring back Iraq to the international sphere, its contributions went to the UN programs that have projects in Iraq, with Europe left having no immediate active presence on the ground.

THE INTERNATIONAL COMPACT'S OBJECTIVES:

The International Compact is an international initiative to strengthen the partnership between Iraq and the International community, it aims to implement a framework that seeks to achieve the national Iraqi vision aiming to achieve the demands of the Iraqi people in laying down the foundations for a united democratic state that is secure and stable, where all citizens have equal rights and duties, it also seeks to set the foundations for a prosperous economy with a varied production base that can provide the requirements needed for sustainable development according to market factors, one that is open and assimilated with the world and other economies in the region, in particular those of the neighboring states, making Iraq an effective member of international and regional organizations with the ability to offer aids to needy and underprivileged countries, allowing the private sector to play a leading role in economic activity, with a special role for the government in regulating this activity, protecting it from the effects of external turbulences, protecting the poor and underprivileged communities from deprivation and starvation and to provide proper standards of public social services for Iraqi civilians.

Internationally, the Compact lay down a work frame of mutual commitments inspired by the Madrid 2003 conference, the Abu Dhabi September 2006 Meeting, and the Kuwait October 2006 Meeting with the objective of a secured, stable and prosperous Iraq, where good governance practice is prevalent and human rights are strongly secured by the sovereignty of law, other objectives include the sustaining and strengthening those commitments for the entire duration of the Compact and beyond, as well as recognizing the achievements of the new Iraq as represented through the adoption of a constitution in November 2005, the conduct of parliamentary elections in December 2005, according to which the first permanent cabinet was formed in May 2006.

The International Compact declaration pointed out that security and political challenge, implementation of good governance practices and provision of basic services are major demands for progress in all other fields, including economic revitalization. The Compact was firmly based on belief in the assumed interdependent relationship between peace and economic prosperity, national reconciliation, enhancing security and good governance, resuming economic and social reform are all important aspects of unleashing the Iraq development potential.

The declaration also stated that applying the joint vision for Iraq's future successfully requires the rejection of terrorism and extremism, holding debate, fostering national reconciliation, formation of professional security forces that are loyal solely to the homeland, hard efforts to eliminate terrorist threats, and finally coming up with a feasible solution for the merging of militias into security forces.

The declaration determined the major outlines for Iraq's political and security needs as part of the governmental program and the national reconciliation plan, thus the following points are to be considered essential demands for the creation of a stable country and a robust society, so as to achieve reconciliation between the various components of the Iraqi people.

- Rejection of terrorism and actively attempting to quell it, rejection of violence targeting the state and violence amongst ethno-sectarian groups in the country.
- Respecting the sovereignty of law, including civil freedom and human rights.
- Building a democratic, federal Iraq that is united and sovereign.
- Adding a consensual pattern to federal democracy through a process based on unanimous consensus.
- A fair distribution of resources.
- Cooperation with neighboring states based on mutual interests.

In regards to national dialog, the declaration stated that the government will continue to offer support in the application of related security council

resolutions, to strengthen achievements related to the political process, to execute national reconciliation program entirely through an ongoing debate process politically, to reject violence in all its forms, to commit to solving disputes through legal and judicial means, and to build a complete political process that aims to build trust and assure those who feel marginalized by it, the government will push forwards in the field of national reconciliation through all possible means ; as it is one of the most important priorities.

The declaration also stressed that the government needs to draft a law for Non-Governmental Organizations that is open-minded and democratic, the law must also be activated to enforce the important role civil community plays in strengthening the national reconciliation process, the government must work on laying out a legislative framework that tolerates the presence of an independent, free media that encourages individual liberties and the emergence of a open-minded society.

The declaration also stressed that international partners will offer administrative, technical and financial support to aid Iraq in facing challenges as part of their mutual commitments, so that Iraq rejoins its regional and international sphere on a plateau of mutual respect fuelled by an effort to achieve mutual interests, the Compact stresses the Iraqi government's commitment to combat corruption, which reflects the government's responsibility toward its civilians so as to instill practices and institutes that are transparent whereby state employees are held accountable for their actions, the Compact's major objective is the construction of a united, democratic Iraq where all citizens enjoy an equal distribution of resource regardless of their backgrounds.

The achievement of prosperity is an important aspect of this vision, as experiences in other regions have shown that continuous growth in employment and quality of life must be led by a strong, varied private sector. The government has an important role to tend to in several ways, such as efficient administration of oil revenues, creation of a legal regulatory framework that rules the entire economy, protects the vulnerable groups and provides security. However, the true source of economic blossom must pass through the private sector.

The programs for investment and reform were also discussed in detail in the declaration, so as to fulfill the mutual commitments that both the government of Iraq and the international community will carry out jointly.

The procedures for reform and investment will be part of a mid-term financial framework that will help meet fiscal expectations within this mid-term duration. The Compact also put in place a time frame for the work of international partners, including tangible financial obligations that are part of government reform efforts based on an internationally-recognized frame work by which the needs of Iraq are inspected.

The declaration ends by providing a summary of the coordination, execution and follow up steps, list the assessment operations in alignment with the advisory team operations, also based on ongoing national plans and aid-coordination mechanisms such as the national development strategy for example, sector work groups and other teams, enforcing them whenever need arises to reflect demands and arising developments.

It should be mentioned that the International Compact declaration has stressed its full support for human rights and the protection of human rights, to cement the rule of law, to overcome the troublesome legacy of the past by the adoption of a comprehensive human rights system propagated all over the country that follows international standards and regulations for human rights as part of the local judicial system. Human rights awareness will be part of all educational curriculums; they will be stressed in the judicial and legislative wings and other state institutions, and eventually all parts of the Iraqi society. The declaration again stressed the need to empower the role of NGOs and to execute a legal frame work in that regard.

As is seen from the aforementioned texts, the International compacts has held the Iraqi government accountable of executing Iraq's part of mutual commitments, it guided the Iraqi government through providing implementation mechanisms, steering them to what can be described as a road map to shape solutions, a subject that shall be discussed elsewhere in this research.

Role of Iraqi Tribes in National Reconciliation

Dr. Khamis Dahaam Hamid*

FOREWORD

The success of any political model is dependent on the presence of a political structure (*i.e. a state*) that is principally uniform in representing the utmost manifestation of a community's unity and cohesiveness, in the absence of such a state, patriarchal, regional or domestic groups may arise to cast their distinct brand of authority such as the authority of clergymen or elders, those possibilities could allow the formation of a figurehead state structure as a result of all these authorities coalescing together in harmony eventually leading towards a state of relative equilibrium following a certain time period. Nevertheless, central authority cannot be achieved unless the traditional local authorities are transcended into a new power-sharing formula that outstays narrow interest groups, this can be achieved when members of those groups are able to participate together in power through the formulation of new social components that are formed outside traditional patterns and norms. With regards to the Iraqi case, it is evident that the reconciliation initiative is the backbone that holds post-conflict reconstruction efforts together, reconciliation must be sought after both locally and nationally, politically and socially and through a collective societal endeavor that urges community groups to work together for the sake of common interests.[1]

Approaching reconciliation in Iraq must be done with understanding of Iraq's conservative culture. It is a culture that stresses on the concepts of community, authority, honor and hospitality. Reconciliation must also be approached with a clear sense of the characteristics of principles such as identity, religion and ethnic, patriarchal or tribal ties. Approaching reconciliation amidst conditions of far-reaching violence requires special care being made to the steps needed to be taken to stop cycles of retribution, where an efficient relationship paradigm must be implemented enabling clashing groups to participate together in laying out constructive resolutions more efficiently. There are seven demands that form the basis for this conflict resolution effort which aims to determine interests, alternatives, options, standards and to establish relationships, connections and commitments.

(1) David A. Steele, Reconciliation Strategies in Iraq, translated by al-Mustakbal al-Arabi magazine, Issue 357, Arab Unity Studies Center, Beirut 2008, p.153-154.

DEMAND 1
THE CONCEPT OF RECONCILIATION

Reconciliation is a form of agreement and consensus upon averting a current crisis in a manner that is recognized by all human cultures and thinkers. It necessitates the presence of an authority head that lends legislative authority (courts) and religious authority which governs it in the interest of civic peace and goodwill. It seeks to present solutions acceptable by the public, interactive with its environment and responsive to realities. Reconciliation necessitates fairness and a sincere endeavor to achieve justice that has its foundations at core human principles and values in a form that produces reconciliation as a collective, inevitable, and historical national project of accord.[1]

Recently, calls for national reconciliation and tolerance increased amongst the Iraqi people, whereas the forces of US occupation call for intolerance and seek further retribution against forces it views as loyalist to the Saddam regime.[2]

Due to the failure of reconciliation efforts during the tenure of pre-Maliki governments and because of increasing regional and international demands as well as local demands by a number of Iraqi parliamentarians stressing the need to achieve national reconciliation, the Iraqi parliament formed a national reconciliation committee that will oversee the national reconciliation effort[2] presided by minister Akram al-Hakim. Following the creation of the reconciliation committee, Iraqi parliament and government issued the general amnesty law and replaced the Debaathification law with the Justice & Accountability law, which bears similarity to the Truth & Reconciliation law of South Africa. The government of Mr. al-Maliki held a national reconciliation conference in Baghdad, inviting some of the participant factions in the political process but not those outside the political process, al-Maliki government also approached tribes to achieve national reconciliation after previous attempts, of which tribes were not a principal actor[3], failed.

(1) Abu al-Qassim al-Mashaai, the Reconciliation and Social Security Question, 22nd Sep. 2008, as transcribed through mashu@hotmail.com.
(2) Al-Hariri, Jasim Yonis, "Iraq, where to? (National Unity Portfolio)", al-Mustakabal al-Arabi magazine, Issue 305, Arab Unity studies center, Beirut 2004, P. 61, see also Alaa al-Samarrai, "A Year Past, Uncertainty Looms Ahead" – The Other Direction, 3/1/2004, p.3
(3) Hamid, Khamis, "Iraqi Political System's Position Towards National Reconciliation", Political Sciences Magazine, Issue 136, Political Sciences college, Baghdad University, p.195

After the Awakening Councils in Anbar proved successful in repelling al-Qaeda out of the governorate and ushering a period of peace and stability in Anbar, al-Maliki embraced tribes and began holding national reconciliation conferences targeting Iraqi tribes and forming Support Councils following the model of the Awakening Councils. Al-Maliki's formation of Support Councils was strongly opposed by his closest allies, including the Supreme Council, other parties in the United Iraqi Alliance and the two Kurdish parties, with the latter opposing the formation of supports councils in the governorates of Ninewa and Kirkuk.

DEMAND 2

Role of Iraqi Tribes in Reconciliation

  Through following up the role of Iraqi tribes regarding national reconciliation it, becomes evident that tribes did play an exceptional role in bringing together various perspectives of the Iraqi people towards unity after governmental and religious authorities failed to achieve that. It can be deduced that the role of tribes is now very effective as demonstrated by the Awakening Councils in Anbar which quelled the terrorism of al-Qaeda, the Anbar model was quickly propagated to all other governorates. Moreover, it has to be said that tribal ties in Iraq are much stronger than any other ties in Iraq, something that we shall further explain in this section.

The Concept of Tribalism

Tribes are one of the most important components in the social structure of Iraqi society. In fact, the Iraqi social hierarchy is largely tribal-based, as people are classified into tribes, with members of a tribe joined by a common ancestry that leads to a great grandfather the tribe is named after. This system largely resembles other tribal systems present in all Arab countries, especially in terms of the divisions of tribal groups. [1] Lineages represent the backbone of Iraqi tribal system. Iraqis memorize their family tree and pass it on to future generations of their tribes. In past generations, lineages were of great importance as an individual cannot claim his social rights (such as membership of the tribe council or otherwise) unless he is connected through lineage to members of the tribe. Men and women are keen on teaching their children their ancestral family tree after they are six years old, the tree is memorized so as to be recited whenever need arises.[2]

The standard of lineages was of such prominence in Iraqi society that it was impossible to imagine any link or connection between any two tribes except through blood or marriage. Even relationships established in accordance to

(1) Yahya, Dr. Jalal Mihna, Dr. Mohammed Nassr, Minority problems in the Arab World, Daar al-Ma'arif, Cairo, p. 199.
(2) Ibid, p.199. See also Hamid, Khamis, "A study of the problems in the unity of greater Somalia and foreign intervention.", unpublished M.Sc. dissertation, Political Sciences college, Baghdad University, 1996, p.164

mutual economic interests or territorial proximity is often interpreted through blood relations, some go as far as saying that a common tree of ancestry joins all the major Iraqi tribes in their effort to intertwine nationalism with tribalism. Each of the major tribes have narrations of ancestry reported to be passed down from its great founding fathers, those narrations are used to create a family tree for the tribe members. Each tribe has a council where members meet to discuss their tribal affairs, the council head is elected by members. The head of the tribe has a great amount of influence over his tribe members, if a feud breaks out between two *ashayir* (sub-tribes) that are part of two different tribes and the two sides decided to settle it then tribal chief negotiate the compromise into an agreement that is held by mutual respect. Each tribe has an *aarifa* (arbiter) who is second to the tribal chief in importance; an *aarifa* meticulously examines every case and offers his opinion to the tribal chief, sometimes even taking over the responsibility of settling feuds. Nevertheless, the development in society and the growing strength of state law and institutions weakened the role of the tribal chief. This is particularly noticeable in cities, as the role of tribes is stronger and more apparent at rural areas.[1]

During times of European Colonialism, the colonial authorities encouraged tribal trends and would often seek to favor certain sheikhs (chiefs) while sidelining others in a pattern similar to today's events, creating enmity between tribes. The tribal issue became a central problem following the departure of colonial powers during the age of independence. This problem had taken considerable governmental resources in some states as it poses a threat to national unity[2], tribalism is still the dominant trend in large parts of the country whether it takes shape in the presence of large tribal confederacies or their subdivisions of *ashayir (clans)* and extended families, tribalism prevailed during the 1990s in Iraq, especially following the Kuwait crisis and subsequent developments[3] which crippled the state and gave way to the re-emergence of a tribal pattern that had been out of the spotlight for many years following independence. Recent developments indicate that loyalty is still given to the tribe and *asheera* before the district, group and finally culture, all superseding the importance of state in its current configurations. Although tribes played a positive role in the past as it provided people with a sense of unique identity similar to nationalism in modern European societies, it contributed positively to the struggle against

colonialism in Arab countries including Iraq, as tribes supported calls for independence from European colonial control, an example is the role of tribes in the 1920 revolution that was essentially led by tribes and which played a role in driving out British colonialism, a role also similar to nationalist

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(1) Ibid, p.164
(2) Baghdadi, Dr. Abdilsalam, "National Unity and the problem of Minorities in Africa", Ph.D. dissertation, College of Political Sciences, Baghdad University, 1990, p. 206-207.
(3) Hassan, Hamid Fadhil. "Iraq between modern and traditional state structures." Political Sciences magazine, Political sciences college, Baghdad University, Issue 36, January-June 2008, p.191

tendencies in 19th century Europe.[1] The tribe also played an important role in the period prior to the formation of state, entrenching some positive traditions

such as protection and social solidarity it offers to its members. However, today the tribe is a hindrance to the full realization of national unity and the construction of the modern state, because a prevailing tribal hierarchy within any state signifies a loyalty to the tribe before the state which has been and is happening, this means that the structure of the modern state is inevitably at peril. This tribal phenomenon exerts its influence over all aspects of life and is one of the foremost problems in colonized countries as it can be exploited when desired to fracture national unity through the instigation of tribal differences as a distraction from urgent national demands[2]. In short, tribal patterns have pervaded the activities of governmental boards and political parties.

There are several social problems in the tribal model, and those can be outlined as the following[3]:

1. Tribe members put the interest of the tribe before all other considerations. Hence, the general interests of the country might be overlooked as tribes struggle for their own interests.

2. A tribe is a unit within itself, especially from a territorial perspective. This encourages separatist trends.

3. Tribal norms, especially the concept of alliances and counter-alliances eventually lead to intra and inter-tribal feuds.

4. Tribes might challenge security authorities, and would protect a member of its own and refuse to turn him over to authority if that member committed a crime.

5. Colonial powers exploit tribal differences and norms to push their own agendas and schemes.

Tribal policy is a double-edged sword, and will lead to severe repercussions if not handled wisely. It is sheer folly to hold steadfast to tribal policies as some Arab

rulers and leaders do as it could lead to disastrous results, where the establishment of justice and equality amongst society members is the safest way to guarantee the loyalty of tribes to the state and government.

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(1) Hamid, Khamis, ibid, p.166
(2) Al-Hariri, Jasim, ibid, p.63. See also Iraqi al-Sabah newspaper, issue dated 10/1/2004, p.3
(3) Hassan, Hamid Fadhil, ibid, p.192-193

1. **Role of Iraqi Tribes in National Reconciliation At the governorates of Ninewa, Erbil and Sulaymaniya:**

On the 10th of April 2004 a tribal conference was held at the Kurdistan Democratic Party office in Ninewa, the conference was attended by Arab and Kurdish tribes to discuss national reconciliation. In 2008 another conference for Arab, Kurdish and Turkmen tribes was held in Erbil by the Democratic Party of Kurdistan in collaboration with the Islamic Party in Ninewa, where all stressed the need for reconciliation initiatives be embraced and executed by the central government, as any agreement or effort cannot transpire without the presence of legislative agreements by the central governments. All stressed that national reconciliation must involve concerned factions such as Sunnis, Shi'is, Kurds, Arabs, Turkmen, Ba'athists and the government itself, while justice must be done to former army members who should be restored in order to achieve true reconciliation, as the Ba'ath Party will continue to exploit the failure of reconciliation initiatives in its favor.[(1)]

The government formed a conference through its national reconciliation office at the Ministers Council on the 26th of January 2009, a committee presided by MP Ahmed Rakan Abdilaziz and with a number of tribal sheikhs as members, the conference aimed to conduct a reconciliation initiative in which a number of tribal sheikhs and social communities from Ninewa participated, groups included Sunni and Shi'i Arabs, Kurds, Turkmen, Shabak and Christians who did not participate in the political process, attendance was about 700 people, and the conference managed to bring together conflicting points of view under the difficult conditions in Ninewa governorate[(2)]

The conference of Iraqi Tribes Gallantry was held in Sulaymaniya in the period of 2-4/12/2007, speeches were made by tribal heads and political organizations, and the conference was attended by the Patriotic Union of Kurdistan Political Office representative who made a speech praising the role of Iraqi tribes in bolstering security and vanquishing terrorism, a number of tribal elders demanded a brave stance against those who attempt to kill the Iraqi spirit. The conference recommendations included the following[(3)]:

1. Issuing letters to the United Nations, the International community and international humanitarian organizations demanding further support for the cause of Iraq.

2. Propagating the experience of Anbar Awakenings against terrorism.

3. Stressing the necessity of backing Awakening tribes at terror-infested regions.

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(1) A study regarding reconciliation in Ninewa governorate. See also: transcription of the meeting held at the Kurdistan Democratic Party's 14th Branch, 10/4/2004.
(2) Ibid.
(3) Al-Fayhaa Satellite Channel, Iraqi Tribes Spirit conference in Sulaymaniya, 2-4/12/2007

4. Protecting religious minorities in coalition with tribes at those regions.

5. Calling to combat religious extremism, a particularly ripe environment for the proliferation of terrorism.

6. Urging neighboring states to stop intervening in Iraqi affairs through their support, financing or media justification of terrorism.

7. Backing support committees formed by tribes and collaborating with state institutions to protect the authority of law.

8. Calling upon the state to support projects that aim to enhance national unity.

9. Calling upon tribes to support the political process and to confront those who attempt to put an end to the constitutional process.

10. Urging governorate councils to overcome political differences and focus upon the execution of reconstruction projects, services, and to pay special attention to the role of the youth, supporting them to vitalize their contributions towards the construction of a new Iraq.

11. Demanding a larger role for Iraqi tribes within rule of law.

12. Encouraging service projects which help provide job opportunities, and improving the economic status of tribesmen.

13. The loyalty of tribal sheikhs must belong to the state alone and not to any political parties.

14. Tribal laws must not conflict with state laws, which should be applicable to all members of the tribe.

15. Rejection of dividing Iraq on ethnic or sectarian basis, and recognition of the system adopted by the Iraqi constitution.

16. Proposing the creation of an independent Iraqi Tribes council that includes both the northern and southern regions that must be unaffected by any political disputes.

17. An appeal for a meeting with the Prime minister and the President, with the possible formation of a committee of tribal sheikhs that outlines the role of tribes in Iraq's security and stability and their notable contributions to the process of reconstruction.

Through following the recommendations of the conference and members present the weak dedication by participant powers to activate national reconciliation initiatives is made apparent, this is because certain sides will be affected by tribal demands to protect Iraq's unity as those sides are heavily promoting federalism which is a cover for their division and separation campaign that is strongly rejected by Iraqi tribes, the government is also unable to follow up or back up national reconciliation conferences as certain

parties affiliated with the government oppose the return of Baathists and ex-army officers. Therefore, there was no actual application for the conference declarations and its projected subsidiary committees did not materialize.

2. Nassriya Conference for Tribal Notables and Sheikhs of Thi-Qar, Missan and Basra:

This conference was held in Nassriya, capital of Thi-Qar governorate on the 11th of August 2007, with the slogan "Tribes of southern Iraq were the forerunners of national independence, and will continue to safeguard the success of the political process and national reconciliation." The conference was attended by tribal sheikhs and notables from Nassriya, Ammara and Basrah as well as a number of political, national and religious figures. The state minister of tribal affairs's advisor Mr. Qassim Hussein Mubarak supervised invitations and attendance was about 250 people of political, religious and tribal affiliations, Sunni Arabs were represented by Sheikh Ahmed Abdulrazzaq from Nassriya, the governor of Nassriya delivered a speech on behalf of vice president Adil Abdulmhadi and the state minister of National Dialog's representative Mr. Mufid al-Shammari delivered a speech on behalf of minister Akram al-Hakim, other religious and tribal figures from southern tribes were also present.[1]

> [1] Influential and leading tribal and political figures attended the opening session, attendance was outstanding throughout the conference and the conference declaration was dispatched to Prime Minister Nuri al-Maliki and the minister of National Dialog affairs.

Recommendations[1]:

Attendance-wise, the conference was very successful as it was attended by most of the tribal sheikhs of the south and influential political and religious figures. In spite of difficulties faced at present there was a high sense of responsibility shared by everyone, and all were willing to back up Prime Minister Nuri al-Maliki's national reconciliation project, the ministry sponsored the project in Iraq and especially in the southern governorates. Extensive talks were made between southern tribal elders and prominent political and religious figures in order to formulate the final declaration of the conference which was recited by the minister's advisor. The declaration included recommendations such as:

1. Southern tribal sheikhs, notables and political representatives stressed their support for the political process.

2. Tribal sheikhs urged their national government to commence major projects and reconstruction efforts, and to eliminate poverty and unemployment.

State ministry of National Dialog affairs, "A Second Year of Dialog and Reconciliation", 2007-2008, p.329

3. Participants demanded the execution of the Prime Minister's initiative regarding the Agricultural development plan, a major source of income in the south of Iraq.

4. Southern tribal sheikhs and notables stressed their support for the political support at present, and that they are fully aware of the difficulties in its progress.

5. Participants stressed the national loyalty of people in the south and the precedence of national interests over all other considerations and interests.

6. Participants demanded neighboring Arab and Islamic states to state their views honestly and transparently in regards to the bloodshed, terrorism and deportation of Iraq, with their true agendas being identical to their public positions.

7. Participants expressed their desire to unite efforts and to settle minor differences aside and to rally support for the elected government.

8. Participants demanded of the Iraqi government the formation of a delegation of tribal notables and sheikhs of concerned governorates to visit neighboring states and to convey the political and patriotic stance of tribesmen.

9. Participants stressed the tribes of the northern, central and southern Iraq are the same in their patriotic identification and share deep ancestral roots, so all must work for stability and security to prevail in all of Iraq.

10. Participants demanded the Iraqi government to take a firm stand against all terrorist organizations on Iraqi soil, under whatever aliases they are operating.

11. Participants urged the national government to empower governmental institutions concerned with the safety and protection of citizens, especially the defense and interior ministries, by allowing tribesmen to be enrolled in these forces.

12. Participants urged all political and national powers set all minor differences and pointless political squabbles aside and work diligently toward building an institutionalized state as the interest of Iraq precedes all sectarian and party interests.

13. Recommending the formation of a permanent dialog committee in the south to support national accord, solve problems and follow the executions of the conference recommendations and resolutions.

Like previous conferences, this conference did not live up to its aspirations. The conference was politicized to serve the interests of a particular group,

and was largely propagandistic in effect. Tribesmen were credible in their attempt to attain true reconciliation amongst all Iraqi people, but the endorsement of such conferences for political interests rendered its potential squandered.

3. Baghdad and Anbar Tribal Conference, Baghdad, August 2006:

(1) An Iraqi Tribes National Reconciliation conference was held in Baghdad in August 2006, after more than a month of the formation of the national dialog affairs ministry and its reconciliation committee, the conference was attended by 400 tribal notables from all over the country and a large number of Iraqi politicians headed by prime minister Nuri al-Maliki, a representative of the president, parliament chairman, minister of national dialog Mr. Akram al-Hakim and a number of other ministers, the conference produced notable positive results and is one of the first steps towards a successful national reconciliation project, speeches were made urging reconciliation and granting tribes a bigger role in reconciliation[1] The final statement of the conference stressed the unity of Iraqi land and people and the persistence of all Iraqi components to foster the spirit of accord, tolerance and

brotherhood. Iraqi tribal notables gathered in this conference as a preliminary response to the national reconciliation initiative launched by PM al-Maliki as an answer to the difficult crisis Iraq has been passing through at the time. The exchange of opinions, viewpoints and discussions in the conference highlights the lack of any critical conflict amongst Iraqis. All of those who participated in this conference reflected a sincere desire to uphold the values of cordial brotherhood and tolerance, and it reflected the strong belief in unity and accord as the sole path onwards in Iraq's future.

Recommendations[1]:

1. Supporting the Prime Minister national reconciliation initiative which included holding talks with powers willing to engage in dialog.

2. Signing an honor declaration that involves dissociating from all criminals who have shed Iraqi blood, and vowing not to grant such people shelter, protection or justifications for their actions.

3. Respecting the sanctity of Iraqi blood, condemning sect-based killings, random raids, kidnapping and terrorizing of innocent Iraqis and demanding a just trial for the criminals involved.

4. Preserving the unity of Iraqi land and people, strengthening Iraq's unity and stressing the role of tribes in doing so.

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5. Supporting tribal effective contribution in the return, compensation and protection of deported people in collaboration with governmental authorities.

6. Participants wished for the reevaluation of the Debaathification committee performance, and to use judicial authorities to punish criminals from the banned Ba'ath party, provided that parliament legislate a law putting it in effect.

Demanding the release of detainees held by coalition and Iraqi forces, stressing haste in releasing those who were not proven to be convicted of with crime.

7. Resolving the issue of armed militias or accommodating their formations in a manner that eventually restricts arms to official state bodies only.

8. Forming the Iraqi armed forces on basis of competency and belief in constitutional principles and employment of the efficient personnel of the former Iraqi army.

9.   Participants reject foreign interference in Iraqi affairs which seek to support terrorism, instigate ethno-sectarian violence and escalate internal conflicts.

10. Hastening the construction of army, police and other security forces in preparation for the complete withdrawal of Multinational forces from Iraq.

11. Federalism has been constitutionally adopted. Therefore, it is required to promote awareness about federalism to protect national unity at present and to secure the supreme interests of the people.

12. Calling upon governmental, political, religious and tribal authorities as well as non-governmental organizations to intensify their efforts towards quelling sectarian tension and promoting the spirit of cordial brotherhood, collaboration and coexistence amongst the united Iraqi people.

13. Condemning irresponsible behavior of Multinational forces which results in injuring innocent Iraqi people and hampered the progress of the political process in Iraq.

14. Urging the government to hasten the compensating those affected and damaged by raids, bombings and terrorist operations, as well as compensating the victims of the previous regime.

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(1) Ibid, p.41-42. See also al-Yassiri, Mazin. "1st National Reconciliation Conference for Iraqi Political Powers", National Dialog ministry media office, Baghdad, 2007, p.21-22.

15. The conference urges the rebuilding of infrastructure, the availability of basic services to citizens, and to reduce unemployment which is one of the major sources of security tensions in Iraq.

16. Vitalizing the role of tribes through the formation of an independent committee (a commission) that is concerned with tribal affairs and will grant tribal notables authority to protect their regions from the dangers of terrorism.

17. Holding separate conferences for major tribal confederacies which have various affiliations, those conferences must be sponsored and backed up by the reconciliation committee.

18. Demanding of the Iraqi government to expel all terrorist organizations currently present on Iraqi soil.

19. Participants demand a membership in the political council for national security for tribal heads.

Through following the conference's resolutions and recommendations it is obvious that political parties contributed to shaping those recommendations into a propagandistic bent, this is obvious in the entire body of reconciliation committee activities on all aspects, through an extensively detailed reading of the results it can be seen that the reconciliation committees formed are not serious about doing its tasks, this contradictions between sayings and deeds which is an obstacle to national reconciliation and it further deteriorates the process of establishing security and stability in the country.

Opening up to all partners in the political process and making away with the past in a scenario similar to South Africa should bring back security and stability to the country, benefitting the process of reconstruction of the state infrastructure which was destroyed by the occupation.

CONCLUSION

Through following conferences of Iraqi tribes concerning national reconciliation it becomes apparent that tribes played an exceptional role in drawing together a variety of perspectives amongst the Iraqi people while governmental and religious authorities proved unable to do so, the role of tribes is clearly recognized in Anbar through the effective Awakening councils that managed to overthrow al-Qaeda, creating a model for other governorates to follow in this regard. Tribal ties are much stronger than all other ties in Iraq, which is why tribes were successful in accomplishing reconciliation as most Iraqi tribes are firmly rooted all over Iraq and is inclusive of all sects. Hence, tribes proved successful in drawing the community together and establishing peace, stability and reconciliation amongst Iraqi people. However, those accomplishments are incomplete if they are not backed up by governmental procedures and resolutions in support of tribal role in reconciliation and helping turn a new page and compensate those affected by the past. Sincere

efforts on the part of the government help sustain security and stability, with violence and instability running rampant otherwise.

Reconciliation committee efforts in regards to the return of members of the former Iraqi, security bodies and dissolved boards, the Debaathification law, the general amnesty law, the Justice & Accountability law, federalism, attitude towards Iraqi resistance, and the Kirkuk issue are all obstacles on the path towards national reconciliation, this is apparent through examining the number of people reinstated or transferred to retirement, as their size is out of proportion to their actual numbers, this gives an impression of a sluggish, insincere effort on part of the reconciliation committees in resolving cases of Iraqi employees of dissolved entities and the number of deported families returning to their homes. This prompts civilians to believe that reconciliation is superficial, with clashes ensuing amongst political parties and entities alone without having any roots amongst the Iraqi people, those political differences negatively impress upon the Iraqi community and instigate needless ethno-sectarian tension, as evident in the statements of party and governmental officials.

Dr. Hamid- a professor in Political Systems at the Political Sciences College/ Baghdad University.

National Reconciliation and Legislative Texts in Its Way

Hadi Aziz

Many of the legislative texts constitute an effective obstacle against realizing the national reconciliation model. In fact, many of these texts threaten the Iraqi social fabric as most of which inspired by concepts derived from Islamic, ethnic, sectarian or racist jurisprudence or any other form of ideology that masquerade behind those texts. It has been proven through practical application that the fundamentals and basics of reconciliation are in conflict with those texts.

1. **Religious Discrimination:**
   a. When the draft governorate elections law was proposed, Article 50 specified percentages for people of Christian and Sabean faith, but the bill was revoked by the Presidency Council, after reviewing the text of Article 24 regarding Kirkuk – the reason behind the repeal – the law was passed again as No. 36 for the Year 2008 in a manner responding to the veto, but it neglected to mention the allotted proportions for other religions. This sparked many protests that began from Mosul and its peripheries until it reached Basra, things did not calm down until an amendment was issued. However, the amendment was marginal, ineffective and below aspirations.
   b. The constitutional preamble shows an explicitness in its religious bias, it views the constitution as an answer to a call of some religious leaders who are assigned a greater sense of importance than other religions first and national figures with a long history of struggle second, hence placing the clerics in a position much higher than they should have attained.
   c. The forbidding of any law that is in conflict with the principles of Islamic jurisprudence – the concept of Islamic constants is obscure and ambiguous, and it opens a Pandora's box as a large number of Islamic sects –both living and extinct – believe that they hold the true principles of Islam, which are in sharp conflict to the other sects. This text renders members of other religions in a state of confusion between the alleged freedom of belief guaranteed by the constitution when such freedom does not conform to the principles of Islam.
   d. Current legislations did not resolve the issue of Christian children adopting the Islam, until a few years past judicial legislations allowed Christian sons/daughters who have turned 18 years old to embrace any faith they please. However, recent applications by the Supreme Court do not allow this, viewing those who attempt to convert to Christianity as apostates.

2. **Sectarian Discrimination**
   a. Recognizing, maintain, protecting and upholding sectarian presence through explicit and clear constitutional texts causes the fragmentation of national identity, for example the Article 41 of the constitution allows Iraqis to be free in adhering to their Personal Status through the

preferences of to their sects, and the entire content of Article 43 which is concerned with the Husseini rituals.

b. The Kurdistan region is unique in its, national, geographic, political and administrative status, but Article 119 which is concerned with federal regions bears sectarian connotations through its phrasing, the backers of the article, its intended objectives, the bloc which pushed for the final formulation of the text, the law subsequently derived (No. 21 for Year 2008), and the ensuing discussion about the federal region of the south.

c. The 10th clause of the Higher Independent Electoral Commission Law No. 10 for the year 2007 states that: "Care must be taken in the formation of the Higher Electoral Commission to accurately represent the components of the Iraqi people according to guidelines and regulations" A clear insistence on adding a sectarian element on top of the required level of competence, which should have been sufficient alone.

d. Article 10 of the constitution states that: "the holy shrines of Iraq are religious and cultural entities, and the state vows to uphold their sanctity and to guarantee the free practice of rituals within the shrines." Even though mentioned in a constitutional text, it is not a constitutional rule as it lacks the required conditions and reasons for it to become so. Furthermore, it agitates sectarian tension.

e. The formation of the specialized parliamentary committees which review the constitutional amendments should reflect major components in Iraqi society to

3. Political Aspects:

a. More than one legal text in the constitution or other laws are the cause of dissent and clash amongst political entities and parties, often culminating in boycott or hostility, for example: - Article 140 of the constitution, the inheritor of Article 58 of the Law of Administration for the State of Iraq for the Transitional Period concerning Kirkuk and disputed areas and the tasks required in this regard including normalization, consensus and referendum. The accompanying tides which dealt severe blows to national unity in many aspects, leading to catastrophic results that are still present in spite of multiple UN intervention. It is known that constitutional texts or other judicial texts have the goal of regulating public life and the behavior of individuals within a community, not to cause strife, fragmentation and hostility.

b. The laws put in place by the constitution were not satisfactory for a large number of citizens, it appears that the constitution lawmakers sensed this disapproval and attempted to think of ways to rectify the matter, leading to Article 142 which also led to massive public and media upheavals that practically took the process back to square one. The drafting of this article is clear proof that the constitution is part of the problem and not the solution, we cannot neglect to mention the demands of the Accord Front in this regard which calls for amendments accommodating their religious orientation.

c. The Debaathification law followed by the Justice and Accountability law and the accompanying media campaigns on both sides of the law, and its interfering influences that even involved neighboring states.

d. In more than one occasion, the law ignited political clashes and sometimes the opposite, as an example of the latter a package of bills were approved at once as part of a negotiations deal that made way with legal criteria in favor of political compromise, the bills are the ones concerning general amnesty, elections and the state budget.

Conclusion Remarks

Although National reconciliation is an essential prerequisite to achieve civil peace, stability and social harmony, to enforce national identity and principles of citizenship and to lessen focus on secondary identifications the clash of whom has been a major source of conflict for Iraq-wide bloodshed. While of critical importance, the findings of this study show a general weakness, if not absence, of the role political powers and parties play in pushing forward reconciliation objectives. The slim efforts in this direction did not reach a level of effective ability to bring together the antagonistic political perspectives of the Iraqi factions, the efforts exerted by Iraqi political parties and powers rather represented local social activities, this conclusion supported through monitoring national reconciliation efforts exerted by the Iraqi political powers, as field surveys of three samples in Baghdad, Basra, Mosul reflected the absence of the necessary role for political powers to strengthen civil peace and stability.

As for NGOs, they first took the initiative to conduct reconciliation activities in turbulent areas under excruciatingly complicated conditions, with some activists sacrificing themselves to unite warring parties in a debate forum for peaceful exchange of opinions. Meanwhile, international and regional organizations played a weak supportive role to reconciliation, with the only exception being the organizations of the United Nations, which played an exceptional role to unite opinions and bolster local organizations efforts especially in turbulent areas. Their humanitarian responsibility requires of these organizations to resume their activities in a more stressed and expanded fashion in order to preserve the reconciliation gains during the past years.

Iraqi tribes also played an exceptional role in bringing together points of view of Iraqi people after governmental authorities and clerics failed to do so, the role of tribes appears influential in many regions that adopted a reconciliation approach in spite of the variety of problems from one region to the another according to the social fabric of those regions. Since tribal relations are the strongest of all other social bonds, sprawling across Iraq and including all sects thus tribes were successful in achieving a greater degree of reconciliation, security and stability than other actors. Nevertheless, those achievements cannot be fully realized unless entrenched by governmental laws, procedures and resolutions that bolster the role of tribes in national reconciliation, or violence can be resumed especially considering the number

of pending issues that are awaiting resolve such as the return of former staff of army members, security bodies and dissolved entities, resolutions regarding Debaathification, General Amnesty, Justice and Accountability, Federalism, position regarding Resistance and the Kirkuk issue. Thus, it could be stated that reconciliation is still a matter of formality, as the ongoing disputes are amongst political powers and entities more than amongst the general population, those disputes negatively reflect upon the Iraqi public, causing further conflict and ethno-sectarian tension.

Notable reasons pinpointed by the study for the general failure of national reconciliation efforts include the basis of the new Iraqi political system, the sectarian, ethnic and religious factionalism strongly adopted by the Iraqi political parties participant in authority and the political process overall, creating further tensions and concentrated efforts to hold on to respective pieces of the cake, leading to a breakdown in any effort to formulate true national reconciliation for fear of involving new partners in the political process and affecting its share of authority. Therefore, to achieve true reconciliation, it is necessary to reject the currently adopted model of factionalism, and adopting democratic rules and what ballot boxes result in, as all are partners in the country and have the right to live together. In conclusion, the research suggested a number of procedures that could vitalize the role of parties and political powers in achieving national reconciliation.

Reconciliation in South Africa:

How Negotiation and Confidence Building Skills Reshaped a Nation*

Adnan Sheerkhan

The amazing experience of South Africa has offered to the world what is often described as miracle, whereas a country rife with the culture of violence and racist discrimination has been turned into a democratic state where all citizens enjoy equal rights. Through the utilization of conflict resolution skills such as dialog, negotiation, good listening and confidence building South Africa managed to eradicate a centuries-old legacy of racial discrimination. The South African model is often viewed as the foremost application on a global scale in which a conflict of such magnitude and significance was resolved peacefully.

The United Nations Development Program (UNDP), in collaboration with the NGO Coordination Committee in Iraq (NCCI) has given eleven Iraqi civil activists the opportunity to be closely introduced to South Africa's accomplishment; the visit was carried out in the summer of the year 2008 as an integral component of the "Right to Live Safely" campaign implemented by NCCI. Participants joined a one-week study tour in South Africa hosted by the Africa Center for the Constructive Resolution of Disputes (ACCORD), participants took intensive lessons that first tackled the issue of conflicts and disputes, their forming factors, analysis of the conflict nature and its present and future directions, outlining the most important aspects of the South African experience in an "Everything About…" approach, meeting prominent characters who played historical roles in the experience, visiting historical locations in the cities of Pretoria, Johannesburg and Durban such as the constitutional hill where the constitutional court was built amidst the remains of several prisons, the most prominent of which is Prison 4 where Mahatma Gandhi and Mandela were imprisoned, also visited was the internationally-renowned Apartheid museum, and participants were supplied with many researches discussing the peaceful transition of South Africa.

"From Amman, Begins South Africa"
This is how Dr. Boy Geldenhuys, ambassador of the republic of South Africa in Jordan began his speech addressing the participants in the study tour. He added: "Your objective from this trip to my country is to experience and learn from South Africa's national reconciliation model, we all know that Iraq is not South Africa and South Africa is not Iraq, but I will attempt to summarize our experience in specific points, stressing the presence of major similarities between the two countries that could be of benefit in a process of national reconciliation. "you shall experience all those details by yourselves…what happened was more of a miracle, as prominent figures in the majority and

minority had a high degree of historical responsibility and consideration which eventually produced reconciliation, media campaigns and civil activism helped promote reconciliation awareness while pressure was applied from many international factions in the form of economic sanctions to impress change upon an incorrect situation that cannot be tolerated to persist, all those factors helped shape a conviction amongst the ruling white minority that political change must be embraced gradually and step-by-step, this is not to say that there were people who did not welcome change, especially those of a white background….we've witnessed discussions on a local level in cities, towns and rural districts, everybody embraced reconciliation for lack of any other viable alternative, and out of realization that the only alternative is a disastrous continuation of civil war." The ambassador summarized the event of South Africa in five points:

1. Adopting national reconciliation, with a general consensus that there is no armed resolution for the conflict, and that a permanent peaceful solution is the most applicable.
2. Citizens of the black majority and the white minority were willing to offer tremendous sacrifices and did not expect anything in return; both sides did not achieved 100% of their expectations.
3. The white minority, which monopolized the rule for 40 years, recognized the 1990 elections results, and shied away from a potentially explosive question: why should we voluntarily step down from power?
4. The majority that won the elections did not ignore the minority, but involved it in ruling and adopted a power-sharing model.
5. The Majority forgave the minority which systematically abused its rights; South Africa did not hold Nuremberg-style trials as in post-Nazi Germany. The greatest example of forgiveness was demonstrated by Nelson Mandela, who forgave those who kept him in prison for 27 years.

Study Tour Begins

We arrived at the Johannesburg city airport after an exhausting trip that began from Amman, then to the capital of Qatar, Doha, and from there we took a continuous 8 and half hours flight to Johannesburg. There, we were taken under the custody of ACCORD representative Jamila al-Abdalawia, a Moroccan who only knows a few Arabic words, we got into a small bus whose steering wheel was on the right hand side position (in South Africa, the traffic is, as is the case in the United Kingdom, right-hand sided) which drove us to the capital Pretoria, we arrived there before sundown. When we got into our lodgings at the Borger Park Hotel, we discovered that there was a power blackout, we looked at each other with disappointment, as power blackouts seem to have followed us all the way here! Darkness came down swiftly and an overweight black lady distributed candles to all rooms. The blackout only ended at 1:30 in the morning. Quickly, we were informed of many things, that electricity does not go off normally, but it is possible to occur at any time. Jamila al-Maghrabiya said that the city is unsafe, especially at night, and those who want to be on the safe side should stay in the hotel and do not

leave, if it is necessary to go out, then it should be done as a group and extreme caution must be taken. The study tour activities began next morning, ACCORD's executive director and founder Vasu Gounden came from the city of Durban, which overlooks the Indian Ocean, to give us a series of lectures about his country's significant accomplishment: a peaceful abolishment of the apartheid regime. Over the next few days other lecturers joined in, including judge Anthony Guildenhayes, who is the former chief of National Peace Secretariat- the Truth & Reconciliation Committee, Mrs. Yasmine Soka, an internationally-known figure that previously assumed the post of commissioner in the Truth & Reconciliation committee, and is currently working as an executive director of a human rights organization, head of the elections committee at KwaZulu-Natal province Mozariet, former participant at the Peace Secretariat Dominic Mitchell, and head of the IPT peace building organization Kallinda Keane. In the Supreme Constitutional Court judge Albi Sax accompanied the Iraqi delegation and another group of lawyers studying constitutional law, judge Sax was a victim of violence and he lost his right hand because of a booby-trapped package, he explained in detail the history of the court and the reasons behind choosing the hill housing a number of prisons as its site. At the Supreme Constitutional Court we met judge Ivon Mokhorro, who talked about the formation of the court, its structure and the constitutional articles governing its performance. At Durban we visited the International Center for Non-Violence (ICON), a non-governmental organization presided by Ella Gandhi, granddaughter of the late Indian leader Mahatma Gandhi, that is concerned with promoting Gandhi's peaceful approach to conflict resolution and the preservation of Gandhi's legacy in South Africa where he lived for 21 years. The Iraqi delegation visited a non-governmental organization by the name of World Conference on Religion and Peace (WCRP) and listened to an overview of WCRP's objectives; the embodiment of a strong symbol resembling the unity of the three major Abrahamic religions to promote peace, the organization is run by three ladies, a Muslim (Sidon Musa Sa'yid), a Christian Angelican nun (Sou Burton) and a Jew (Buddy Miskin). Members of the Iraqi delegation were graciously received at ACCORD's Durban headquarters, and a ceremony was held in their honor. The delegation was introduced to ACCORD's conflict resolution activities in South Africa and other parts of the world, such as the Fatah-Hamas Palestinian conflict and Burundi. Assistant Manager of the Non-Governmental Programme at the United Nations Development Programme, Dr. Menan Hattab, accompanied the delegation on its trip to South Africa, and in two days the delegation was joined by program director Rebecca Ronalds.

The Republic of South Africa
The Federal Republic of South Africa lies at the southernmost tip of the Dark Continent, where the Pacific and Indian oceans meet, it has an area of 1,219,000 square kilometers and a population of 48 million, and its gross national budget is over 450 billion US dollars annually, the highest in Africa. It is a federal republic formed out of nine regions or provinces, and is the only country in the world where the three state authorities are distributed amongst three cities: the political capital of Pretoria which is home to the government headquarters, the 480-member parliament lies in the city of Cape Town, and the judicial capital of Bloemfontein. The city of Johannesburg is also notable

as an important economic hub and a center for gold trade, economy, business and corporations, with the headquarters of the Supreme Constitutional court built there. South Africa is the most diverse country in Africa, where native black Africans are 85% of the population, while whites of European descent (British, Dutch, German and French) are 9%, they call themselves as Afrikaans and speak a language called Afrikaans which is descended from Dutch with a fair number of German and English words mixed in, Asians and coloreds are 4% of the population, and Indians are 2%. According to a 2001 census, 80% of the population is Christian, 1.5% Muslim, 1.2% Hindu, 0.2% Jewish, 0.3% local religions while Atheists/Agnostics are at 15%. South Africa recognizes 11 languages including Xhosa, Swazi, Ndebele, Southern Sotho, Northern Sotho, Tsonga, Tswana and Venda, but English is the first official language and is the most widespread.

The Apartheid Story

European invasion and colonialism of the southern parts of Africa go back to the year 1625, most of the new settlers had Dutch, German and French ancestry, they were known as the Boer and later the Afrikaans, during the 19th century Britain, then at the height of its colonial glory, occupied the entire south of the continent and launched brutal wars against the native blacks on one hand and the Boer on the other. South Africa became independent in 1911 as a commonwealth state, the word 'Apartheid' is often heard or read everywhere you go in South Africa, it stands for the racial segregation regime and it was first used by Jan Christiaan Smuts in a speech made in 1917, Smuts later became the prime minister of South Africa in 1919. The system of racial segregation is a vestige of British colonialism which incorporated a system of legislation adopted at the Cape and Natal colonies in the 19th century, it legislated the prohibition of blacks to move from tribal regions to regions occupied by whites and coloreds then ruled by the British, in order to restrict their movement they were forced to obtain special permits to pass through, and were not allowed to be on city streets after dark in both the Cape and Natal colonies. Apartheid only assumed the form of a public official policy in the year 1948 as the right-wing white Afrikaans National Party assumed power with the objective of prolonging the role of whites in South Africa. It adopted a policy of racial segregation amongst the ruling white settlers and the native black population. Essentially, a white person is preferred over a black person in all aspects of life. The Apartheid regime stressed a number of basics, it is a settlement activity that is a remnant of a colonial project with the objective of creating an ethnic group that asserts its racial superiority over the natives through its settlements backed by a legislative system of racial segregation that maintains an institutionalized grip on the "inferior race", prohibiting it from the freedom of movement and the right to vote, the native "inferior race" population are theoretically citizens but are actually subjugated subjects of a state that does not reflect their culture or aspirations but is a tool to assert the dominance of the "superior race." The white minority dominated the economic resources of the country, in particular the land itself - the most precious resource of all, and proliferated a political-religious culture based on racist foundations adopted by the church and state as a moral and theoretical justification for the racial segregation system. The majority of the population in

South Africa did not demand separation or independence, and did not demand the expulsion of the culturally and politically separate white minority; their battle was strictly targeting the racial segregation for which separation is not a proper treatment or answer.

Apartheid: The Beginning of the End

In February, 1990 head of the apartheid government Frederick De Klerk announced before parliament the commitment of his government to negotiate a democratic future for the country. De Klerk said: "It is time to come out of the cycle of violence and seek peace and reconciliation..our planned objectives include a new democratic constitution, voting rights for all, and equality in front of an independent judicial system." In a positive gesture, De Klerk lifted bans from the African National Conference party (ANC), the Patriotic African Conference party (PAC) and the South African Communist Party (SACP), all political prisoners were released including Nelson Mandel who spent 27 years in prison. De Klerk surprised the whole world with his declaration of the end of the apartheid's racial segregation era, this surprise did not last for long after news broke out of years-long secret meetings between the government and Mandela inside his prison (in the years 1985-1990). All this resulted in a severe crisis amongst the ranks of the government and the ruling National Party; things were quickly resolved as all realized the futility of insisting upon the apartheid regime, with the government embracing peaceful participation with its black majority. This was a devastating conviction for the whites who ruled the country for three centuries, white businessmen and entrepreneurs intended to strong-arm the achievement of only limited reforms in order to lift the economic sanctions and bans imposed upon their corporations. The National Conference leadership seized upon the opportunity and allowed De Klerk to declare the end of Apartheid, the role played by the leadership of the Patriotic African Conference headed by Mandela and his collegues was no less significant, having perceived a suitable international climate that they employed to persuade the ruling elite with the inevitability of change, hence offering a historical negotiation deal with De Klerk in 1990, while agreeing to offer many guarantees in order to calm down the fears of the white minority and open the door for free presidential and parliamentary elections. This strategic clarity of vision allowed Mandela to successfully navigate the difficult negotiation with De Klerk which took place between 1990 and 1994 so as to maximize the gains brought about by the positive inertia resultant from democratic change in spite of the hesitation shown by the white minority and some radical outbursts on the part of influential currents within the Patriotic African Conference. Head of ACCORD Vasu Gounden links the dramatic changes in South African with the massive political upheavals in world events, especially the historical fall of the Berlin wall and the collapse of the socialist regimes of eastern Europe, all this made the government of South Africa feel isolated, with its reputation already reaching very low levels on both local and global scales. Hence, De Klerk took this opportunity and went further than some whites wanted by instigating a complete change, this radical upheaval was not easy, as some members of the white minority clung to the old regime out of fear for their easy life, property and influence, they tried hard as they could to stop the excruciating

talks with representatives of the black majority. However, it was agreed to hold free public elections in which all races will participate, with one vote being cast for every person. Those general elections were held in 1994 and the Patriotic African Conference overwhelmingly won, the transfer of power was made peacefully and calmly, with Nelson Mandela becoming the first South African president from its black majority.

Transitional Justice, the Truth & Reconciliation Committee

We need to understand what exactly happened in South Africa, without a flexible attempt at comprehension, the entire change would appear to be a divine miracle unrelated to any human effort. There is a unanimous agreement on the wisdom of the leadership figures which steered the process of democratic change on both side (minority and majority), especially in regards to their sincerity, hard work, and quick responsiveness towards obstructions, this is especially true on Mandela's part. An astounding group of figures led the peace process in South Africa, while amazing efforts have been carried out at the popular level. Former Peace Secretariat participant Dominic Mitchell explains some of the secretariat's efforts: "We've conducted far-reaching talks with a large number of civilians all over the country to urge them to talk, discuss, debate and negotiate among themselves, we wanted to set off a transition from a period of lethargy into active interaction with the new realities on the ground, and this was an important lesson that South Africa gave to the world." Through long years of struggle toward freedom and equality, the Patriotic African Conference party was able to assemble a diverse group of people, especially those forced by the harsh conditions of the country to move into other African states, the party was strong enough to demonstrate efficiency at administering talks with an adversary equipped with the best army in all of Africa, an army with a ruthless efficiency that renders it capable of facing any military uprising regardless of size, with a robust military industry that has factories for the manufacture of advanced weaponry, submarines and helicopters. Meanwhile, the Patriotic African Conference developed peaceful civil resistance which enjoyed enormous popular backing and support from all the world countries, whereas the Pretoria government enjoyed none, in fact it was being received with universal scorn and repeated recommendations recommending an end of the Apartheid regime. Eventually, notable businessmen with some influence on decision making became convinced that their future lies with change and not apartheid, as political instability was not the most suitable environment for the sustainment or growth of their businesses, let alone the strong effect of international sanctions, the white minority businessmen were the most realistic when they declared their support for peaceful transition. With such diversity of opinions, talks commenced and lasted for four years (1990-1994), ACCORD director Vasu Gouden says: "Uncertainty regarding the end of the talks was the most prominent sentiment amongst all factions. Nobody, including Mandel, knew or could have predicted the final result of the negotiations…[there were fears regarding] what could have happened if talks broke down or reached a dead end." Mandela once said that he knew that if talks succeeded, then elections are going to be held. The negotiations occurred during a time of rampant violence which reached unprecedented levels considering the possibility of

post-talks countrywide national elections, with the government and the Incatha party fuelling most of the violence, and many political assassinations and eliminations occurred at that period.

Transitional Justice refers to the procedures or regulations that prepare a proper framework to navigate the stage of political transition from the rule of apartheid in South Africa or any totalitarian system of government. Care is taken at this stage to develop a large number of diverse strategies that combat the legacy of human rights violations in the past, with the objective of realizing a more fair and democratic future, transitional justice seeks to deal with the legacy of violations in a comprehensive, encompassing approach that involves criminal justice, damage reform justice, social justice and economic justice. In many countries transitional justice was the firm foundation for comprehensive national reconciliation; it was the decisive factor that firmly broke away with what is normally termed as the 'former regime.' During talks between Mandela and De Klerk, one of the major conditions the National Party leaders insisted upon is that they not face criminal trials following the transition to democratic rule, asking of Mandela to save them this ordeal, with their justification being that if National Party members do not get amnesty, then the white-dominated security forces will not be able to guarantee an easy 1994 elections. Through reliance on strong African traditions in nonviolent conflict resolution, Mandela and his colleagues at the Patriotic African Conference agreed on granting amnesty. The transition was carried out much easier than most people expected it to be, Mandela had understood fears of the white minority with great proficiency, he kept the former commander of the army in his post for two years after he assumed presidency, and issued a general amnesty for all generals, all of which showed him a great amount of respect and offered their military salutation during his inauguration ceremony. Nevertheless, Mandela could not let things be settled without recognition of the horrible decades-long atrocities, and he authorized the formation of the Truth & Reconciliation Committee in 1995 to look into the crimes and oppression of the apartheid period, Mandela asked the South African Archbishop Desmond Toto to preside the committee, which looked for two years into thousands of appeals filed in by victims of the apartheid regime and other human rights violations. To obtain amnesty, those who filed their appeal need only reveal the entire truth about violations that they themselves committed or have known about in the past. When the Truth & Reconciliation committee is satisfied with the completeness of their account, they are set free. The majority retained the governmental positions that they had previously; Mandela had already chose them to become his partners in the nation's democratic change project. Through this committee, Mandela prompted the henchmen to publicly confess the truth or at least to allow victims to publicly recount their stories, the committee attained great public interest, and its sessions were broadcast live. The committee was not motivated by vengeance in any degree, but it was a declaration of general amnesty that is conditioned with confession and regret, provided that it is proven that those crimes were not committed out of racist considerations but to accomplish political goals and objectives, the sessions often managed to overcome the spirit of vengeance and hatred, with an objective of mutual forgiveness that transcends the past. Former justice minister Dola Omar

describes the Truth & Reconciliation committee by saying: "it is a necessary exercise that enables the citizens of South Africa to reach a common understanding of their past on agreeable moral basis that propels reconciliation forward." The committee was formed in accordance with the Resolution to Encourage National Unity and Reconciliation, No. 34 for the year 1995, and it consists of three subcommittees: the Human Rights Violations committee which looks into human rights violations in the years between 1960 and 1994, the Reparations and Rehabiliation committee which offers support for victims and ensures that their dignity has been restored through the proposition of suggestions or recommendations in regards to compensate or rehabilitate those who have remained alive and their families, the third is the Amnesty Committee which looks into amnesty appeals filed in regards to crimes committed out of political motivations between the 1st of March 1960 and until the 6th of December 1993, if this committee grants amnesty for any crime or violation, it means that the convicts or defendants are free from any further legal pursuit.

Conclusion

Reconciliation in South Africa is a truly impressive experience that is worthy of high esteem, it has taken the country from a racially-tinged apartheid regime of violence and hatred into a democracy where it is possible to assume power through ballot boxes, a student of the South African model must observe the most minute historical details and moments, and it is fair to say that massive sentiments of tolerance, forgiveness, amnesty and acceptance permeated the country. This in particular should be enough to resolve any conflict anywhere in the world. This is not to underestimate the importance of conflict resolution techniques and methods such as skillful dialog, good listening, dialog moderation and confidence building, all of which were utilized expertly and efficiently here. All partners moved out of sincere intentions at such delicate moments, impressing their honest intentions upon the entire process which was also steered by a thorough analysis of the present and the future. In spite of all those accomplishments, it would be biased not to mention the other side of the truth: that the problems of South Africa are not entirely resolved. Vasu Gounden goes on to say that: "South Africa needs about 60 years and three generations to be finally free of all the traces and vestiges of the Apartheid regime."As an example, he states that: "the country needs 12 thousand engineers, and universities only graduate about a thousand right now, we need many years to cope with this shortage." Due to previous policies, the education and competency levels in the black population is rather slim, South Africa has a slew of other problems, it has the highest AIDS percentage with the most optimistic studies showing that 25% of the entire population is infected, especially amongst the black population, crime is also high perhaps as a result of severe poverty and unemployment, South Africa is one of the most uneven countries in terms of wealth distribution, as it's restricted amongst a tiny elite of the population in spite of the country's high gross domestic product.

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