

The Question of national reconciliation in Iraq An attempt to realize and answer""

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The incorporation in reconciliation process must preceded by guarantees in order to thrive, by then the reconciliation by itself becomes the national peace insurance to pass over the bygonviolent,whethere far flung or recent to construct acivil state for all citizens.The question of reconciliation predated upon many questions need answers and settlements ,while the concerned topic ,I mean the question of reconciliation urgently needs bold measures to put forward to understand what occur in day after yesterday's Iraq ,and what will go on in after tomorrow's Iraq .Here we certainly need to launch a real reconciliation on collateral foundation far off from spontaneity and improvisation ,for reconciliation is long term march with vast aim, so it can't be achieved with a single imported prescription ,and it can't be hurried or imposed by force .So is reconciliation innocent requirement or secluded from innocence ? Is claim for it solution or problem? What guarantees required at domestic and international levels to insure its successful arrival to its ends?

The national reconciliation becomes uninnocent quest and paradox claim, when its disrobed from its nature, preferences and political significations, or when transional justice missing from its machinery and when executive politicians take over the specification of its nature, map up its aims, and put into effect the machineries without holding talks and sharing responsibility with political rank ,constitutional establishments, political parties ,leadership, and civil society .

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National reconciliation is not an occurrence or incident , it is a path by itself, its a materialized aim incorporated in state's reconstruction , in its ends, and characterized by social not personal positive outputs.

The reconciliation is distinctively political in its premisses , flings ,and parties ,in other word its not gratifications and deals between sides wishes to retrieve lost privileges, and other side doesn't want to abandon harvest privileges .Therefore the conciliation is political by its political participant because they are not (fanatic nationalist – religious sectarian –traditional tribalism-socio familial).It is a released political conciliation ,for it doesn't initiate by ethnicities ,sects ,tribes ,families ,districts ,and cities or may be lanes ,so the existence of dispersed unorganized political sides and ethnic ,Sectarian ,and territorial groups ,make the national reconciliation nothing but empty speech that may achieve gratifications not settlements .

It is well known that politics is settlements not gratifications. In settlements the balanced present ensured, and may be the pursuit future, as for gratifications the present quota may be ensured by bargains and privileges, but the desired future will not be achieved, So is there an aim for national reconciliation? and if it exists does it appear in leaving the past problems?or is it the settlement of present problems? Or tackle the past and present on account of future?

It is true that the aim of real national reconciliation is not preterit and current subsistence only ,it is futuristic as well ,and that reveals the ambiguity of the purpose ,and if there is a goal it is swinging between past and present without the future ,but if the aim of the reconciliation is the future ,what do we mean by it ? And it's the future of whom?

Future is the reconciliation aim, and envisage that the constructed state deserves the name of state, which marked with continuance aptitudes and attends its citizens welfare in terms of that the future is not for Shia ,or Sunni ,or Kurds only and its not the future of who wants to regain his lost

privileges after changing the former regime, besides it is not the future for those who refuse to abandon the privileges they obtained from the current regime, it is the future of Iraq, but which Iraq?

It is not the Shia's Iraq, or Sunni's, or Kurd's Iraq, It is the Iraqi state and not pre state Iraq, because the Shia's, or Sunni's, or Kurd's Iraq means pre state Iraq.

Iraq state means Iraq of individuals, citizens, and citizenship, not Iraq of inferior subjects and clients. It means the country of organized civil factions, not traditional groups (racial – fanaticism – sectarian cults-tribes and families), and Iraq of legitimate authority based on electoral representative, and persistent achievements neither Iraq of totalitarianism nor Iraq of fragile authority governed by impotent democratic federal center and strong territorial sides.

The true national reconciliation Iraq wishes to become real democratic, required adopting the machinery of transitional justice and apply it in peace making form, not punitive vengeful, because the first one is the convenient form to ensure true national reconciliation which bolsters the transitional justice the main pillar among three props of reconciliation represented in: justice, truth, and compensation.

The peacemaking democratic form with its foundation "the transitional justice" will expand the base of partners and contributors in national reconciliation to make it political and build around settlements, then those who don't believe in constitution principles and provisions, peaceful rotation of authority, political parties life, human rights, judiciary independence, the diversity right, prohibition and criminalization of terrorism and sectarian turmoil and racial fanaticism, cannot be a side in reconciliation.

Each side listed in reconciliation according to its agreement of the reconciliation's future goal represented in working for the sake of Iraqi state, the citizenship state with civil organizations and good democratic governance, Iraqi

federal stated armed with law ,and institutions, and protected by people and armed forces.

If reconciliation is distinctively political process ,this mean that the reconcile parties ,or the sides wish to conciliate be true of political sides ,which required political institution completion, and political parties must be at the head ,for no success at this meaning exists without availability of organized constitutionally assured political parties with initiation capacity ,because the desired persistent national reconciliation depend upon institutions availability ,by then the participant political parties will be at one commencement line to compete according to peaceful constitutionally organized procedures. It is obligatory to pay attention to the determining place and time to launch the true national reconciliation, for every location ,or agenda ,or convention must be distinctively Iraqi, because no regional or international site, statement ,or agreement will lead to successful national reconciliation ,and failure will associate with any non Iraqi reconciliation ,it is necessary to be aware of current or may be subsequent uninnocent regional ,and international requests impose the national reconciliation upon Iraqi federal government ,and we have to bear in mind that Altaef agreement didn't give aid to Lebanon ,as Geneva and Vienna conferences didn't rescue Syria ,and will not help Yamen .

But that doesn't mean putting aside regional and international players as they are the donors and granter parties of reconciliation process, but the international community must not call upon what cannot be achieved ,however the international support must relay on realistic evaluation for what could be performed .Reconciliation cannot imposed or imported from outside ,therefore the outsiders parties must offer their grants and facilitate national policies through three plain principles :

-Awareness of the nature of transional period after specific conflict , because calling upon facts investigating committees

become circulated with the international donor and Non governmental organizations, and results mostly come as external spontaneous pressure or backing to uphold these committees ,therefore international community must avoid this sort of spontaneous approaches ,because every transition from status of violence to peace is unique in its nature ,besides the political will to deal with reconciliation remarkably vary according to capacities and available resources with in political class and civil society ,so presumably the international community must not impose what can't be achieved ,but its support should based on realistic evaluation about what is possible politically ,socially , and financially .

- Approve the principle of domestic ownership of the reconciliation movement to advance sustainable conciliation ,for the last usually occur between victims and infringer only ,it is the duty of international community to facilitate the process in stead of imposing stipulations, and let power to the people ,and support domestic initiatives in stead of imposing stipulations,and let power to the people ,and support domestic initiatives in stead of overwhelming after war society in torrent of foreign projects(like Kosovo for instance),and choose capacities promotion in stead of importing specialist ,because the concerted distributed projects,missions,and responsibilities between authorities and domestic and foreign N.G.O'S is the best choice ,when a society is feeble and needs condensed external support.
- Adopt prudent time framework ,for the international peace mediators and makers tend to uphold hasty approach for reconciliation , this reflect in most cases their short term interests ,and unconstructed convictions stem from discerning that the success of transitional period depends on fast response towards national unity ,and this will not grant the intended results ,because they might believe that long

range reconciliation activity restrain democratic consolidation ,while it is crucial for democratic persistence .The appropriate time frame work presume existence of outside players governmental and non-governmental with long term commitment ,in addition to evaluation of the previous international projects and contributions.The international agencies might tend to propose or impose political and economic reformers considering that supremacy on account of conciliation's programs. It is important to keep the reconciliation persistence at long range through adequate economic and political structures.

- We have to be on the alert in facing the danger of terrorism ,and its prevalence ,for this process must be an Iraqi priority ,because it brings about incentive environment for a successful national reconciliation, particularly when it becomes clear that the international coalition put the strategy of employing terrorism (in terms of inadvertent – support –strike) above the strategy of deprivation and destroying it with out efforts to prevent its prevalence .

- Anyhow Iraq must not disregard the international coalition, but at mean time not to bet and depend on it to terminate the war to destroy the globalized islamo-fascist terrorism in Iraq.

Therefore the terrorism encounter as globalized danger needs globalized encounter by all regional and international parties who pretend to combat terrorism, as well as the regional and international parties who are keen to combat terrorism and its prevalence, but putting an end for terrorism in Iraq remains distinctly Iraqi.

As terrorism aimed at bringing Iraq back to the pre state situation ,therefore Iraq has to appose it and put an end for its existence , and prevent its prevalence by all Iraqis with

out exception ,this will creat healthy climate for true political existence reconciliation ,and that require untranquil attitude from all concerned Iraqi political sides in confronting globalized terrorism through globalized front based on acceptance of any regional and international support ,whether nominal or typical at all levels and to accept and agree upon the fact that terminate and defeat this danger in Iraq must be Iraqi . It is worth mentioning that there is a danger manifested by conciliation down size to confined to limited series of stages with real prospect of impeding at each phase.

These overlapped phases are the following:

First phase: Replace fright by shared living far from violence

The first step in shared living, when war drums silence come through exclusive definition of its meaning "live and let the other lives"

With least degree of intercommunication between conflict sides .It is the duty of political and spiritual leaders , N G O'S ,and religious institutions to promote this sort of intercommunication ,and the domestic and international decision adopters should insure the least level of essential individuals carnal security .

Second Phase: Confidence consolidation

The confidence consolidation hypothetically require both conflict sides wether victim or encroacher to regain confidence in himself and in the other ,and recognize the others humanity ,for this is the staple of mutual confidence.

In this phase victims start distinguishing between various level of guilt among encroachers and differentiate between individuals and societies ,and reviewing beforehand notions which mean that all members of a disputant community are surely or contingent encroachers .As for carnal safetiness ,violence disappearance ,and

being of political evolution ,they are surely cardinal conditions for confidence consolidation.

Third Phase: towards discourse and identification

Discourse come into being, when victims accept listening to those who torture them, and when encroachers admit the torment they caused to their victims .Unfolding the truth considered as an essential condition of reconciliation ,because it creates subjective status permitting persons to view the past through common torment and responsibility .As previously stated ,and to put forward real collateral for successful reconciliation ,definite guarantees at domestic and international security ,political ,legislative ,and judicial levels must be available as following :

1- Tackle the past through confess with whole committed mistakesand oppressions in Iraq .This require ensuring finance to cover mend obligations,compensations,and giving back looted and confiscated properties ,and en sure entire economic fairness without distinction to lay the foundation for a future transcending all these opressions and ensure non existence of the past ,and prevent power and wealth abuses to achieve security ,development and national reconciliation .

2- Putting in orderthe steps of constructing the National Federal State according to constitutional defined missions for every stage, and schedule its strides, requirements, andfoundations.

3- Build federal and regional armed and security forces capabilities on the principle of limiting arms to the state only and enact serving the flag law.

4- Assume liable measures for legislative incrimination, social accuse of sin,and religious prohibition for terrorism ,political sectarian ,racial discrimination , and racial fanaticism .

5- Quit the law of inquiry and justice ,and leave behind the pondering of enact amnesty laws and adopt legal

penal and civil rules with in transitional justice ,law that include fairness for the folenwho should attend to fair trial and purification within forms of mitigate punishment ,and re enabling victims with real compensation.

6- Set up a new board or direct reconciliation committee to supervise the perfect application of what previously mentioned ,and call it to work out a new plan in this course and readying the requirement to ensure the balanced success of the committee ranging from drawing schedule to implement reconciliation ,and procedures of constructing Iraqi state ,and supervise out puts ,criteria ,and put forward recommendations for authorities according to need ,besides releasing public reports about reconciliation progress every six months .The committee disband after achieving the reconciliation .

7- The reconciliation's agreement subscribers bind themselves to a fair settlement, which pour into Iraqi people benefit ,therefore they have to promote the agreement and adhere to it in order to sonstructiraqi new federal democratic state ,and to keep its unity ,sovereignty ,independence ,and territorial integrity .

8- To set out with this effort it is necessary to enact a legislation to systematize the reconciliation .According to this legislation a board or committee authorized to undertake the mission execution ,for the current movement carried on by Iraqi parties in this field achieved without legal source ,so it lack legal reference .South Africa issued the law of bolstering national unity in 1995 ,and according to this law reconciliation procedures accomplished ,and South Africa passed through transional period .Same thing happened in Morroco ,the assigned committee drew up its substantial charter which ratified by royal decree published in official journal in 10/4/2004 .According to this charter the assigned committee started its work .

9- Comprehensive review for all Iraqi legislations which legitimize ethnic ,religious ,sectarian ,and faith discrimination ,as well as the discrimination against women ,because these legislations fill a large scale of Iraqi legislations structure ,so its necessary to find adequate solution and abolish the mentioned discriminations.

10- Activate international covenants ,and agreements relevant to human rights which validated by Iraq and give them the supremacy of national statutory ,because the legislative and executive authorities signed the compliance with these international provisions, therefore Iraqi legislative authority should abolish the contradictory legislations .

11- Stock taking of national legislations hampered reconciliation measures or prevent there perfection as long as they rupture social texture ,and enact legislations to promote the reconciliation like amnesty law and reviewing inquiry and justice law, for it is un acceptable to let the last prolong the transional period .

12- Pursuit to accomplish and enact the founder legislations to construct constitutionally desired state ,like political parties constitution ,freedom of speech and expression ,freedom of press and information ,freedom of assembly ,and peaceful demonstration laws ,besides reviewing election constitution and enact the federal council constitution ,and the state administrative judiciary council and other laws.

Finally we believe national reconciliation is a path not a decision, it is not picked peak, it is broad and make place for all citizens.

Reconciliation is a system for achievement to build confidence through legislative, security, and public services .It becomes true solution, when it has active domestic dimensions supported by positive regional and international dimension.It has to be understood as

guarantees and achievements, not conferences and dialogues, and conceived as political Iraqi deed aimed at social future results during lasting time.