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Iraq: The Status of National Reconciliation

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National reconciliation has been a top priority for all concerned with aiding Iraq's path toward economic and political stability. But what exactly does it mean in the Iraqi context? Since the end of the war, several distinct and sometimes competing issues have developed, requiring meaningful dialogue among all sections of Iraq's population. The first is the administration of justice for the crimes of the Baath regime, which has not been fully addressed despite Saddam Hussein's much publicized trial and execution. The balance between meaningful justice to victims and post-war stability has yet to be struck.

The post-war picture laid bare three communities with seemingly divergent visions about their own future and that of their country. The Kurds, mindful of many years of persecution, were set on cementing their autonomy and looked toward possible independence. The previously marginalized and repressed Shi'a looked to assert their majority status and prevent a return to minority rule. The Sunna, largely in denial of the new Iraq, looked on in dread and feared retribution by the Shi'a and Kurds, a contingency that would invariably lead to the breakup of the country. Added to this are previously simmering but dormant tensions between the tribal and the urban, the religious and secular, and rich and poor that have evolved across as well as within ethnic fault-lines.

Given this complex picture, a national reconciliation initiative amidst a brutal insurgency and escalating sectarian conflict was never going to be easy. Prime Minister Maliki's National Reconciliation Framework, launched in June 2006, attempted to address issues such as the de-Baathification law, disarmament of the militias, and reform of public institutions. The twenty-four point plan was right in addressing issues across all levels of Iraqi society from the political elite to the grass-roots in order to forge genuine national reconciliation.

Two years on, however, even in a much improved security context, progress has been fitful and disjointed. The National Unity Government, designed to bring all factions into the fold, fell victim to walkouts from various parties, leaving only the United Iraqi Alliance and Kurdish parties.

Nevertheless the Iraqi parliament, despite the disputes and scarce attendance, has managed to pass several vital pieces of legislation that will aid the process of national reconciliation; namely those of de-Baathification and the national budget. The recent impasse in legislation on provincial powers is certainly a setback, but the current lack of consensus should not take away from the fact that parliament is still the venue for this debate and the ultimate vehicle for national reconciliation.

While the political process in Baghdad has been frustratingly slow, reconciliation amongst the political elite is at an acceptable level. This top-down approach, however, has failed to initiate reconciliation at the lower levels. Ordinary Iraqis faced with daily hardships feel far removed from the political elite in the Green Zone. Ministries and public bodies still function largely as they did during the previous regime, with patronage networks that now run along ethnic rather than Baath party lines. The numerous cases of sectarian bias from the police and army have further eroded public trust.

The altered composition of the previously mixed areas in and around Baghdad has been the most visible breakdown in communal relations. Despite the dramatic decrease in violence, people are reluctant to return to their homes, fearing they will find them occupied and wary of turning to authorities that run along sectarian lines. The situation of refugees is of grave concern, incubating resentment that will add to the difficulty of national reconciliation.

The decision of tribes in central Iraq to stand against al-Qaeda and work with U.S. forces has greatly assisted in improving security. These armed militias, however, are less cooperative with the Iraqi army and government, raising concerns about their future within the Iraqi state. Similarly, the ceasefire declared by Shi'i leader Muqtada al-Sadr has allowed Iraqi and U.S. forces to target the rogue elements of the Mahdi Army. But the issue of the Mahdi Army itself, as well as of other militias, remains unresolved—as illustrated by the collective sigh of relief that followed al-Sadr's recent decision to extend his ceasefire.

In addressing the major challenges to national reconciliation that persist beneath the more-visible political agreements in Baghdad, the judiciary will have a pivotal role. A robust and independent judiciary that has the necessary legal framework and law enforcement partners will be in the best position to address sources of sectarian and ethnic tension in public institutions, disputes over property, and the dismantling of the militias.

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