

Jaafar al-Sadr : A confluence prime minister for Iraq

By Chibli Mallat

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In Iraq and the wider Middle East, Jaafar needs no introduction. His father, Mohammad Baqer al-Sadr, was the most remarkable Islamic thinker of the 20th century. He was executed without trial by Saddam Hussein, together with Jaafar's aunt Bint al-Huda, on 8 April 1980. His cousin and brother-in-law is Moqtada, who has thrown his lot with him despite his MPs appearing on a rival list. His uncle is Musa al-Sadr, the historic leader of the Lebanese Shiite

community, which was deprived of his wisdom and elegance by the Libyan dictator Moammar Gadhafi after he was officially invited to Tripoli in August 1978, then kidnapped and 'disappeared.'

Jaafar's meteoric rise shows he is his own man. He was second on the list of Prime Minister Nouri al-Maliki with hardly an effort at campaigning, while other candidates spent tens of millions of dollars to get elected. He has been for several years one of the closest advisers to President Jalal Talabani. The alleys and ways of thinking of Najaf and Qom keep few secrets from him. He stood up for Sunnis dismissed from running for elections while every other Shiites remained silent. He denounced the invention of a "permanent parliamentary session" that made a mockery of the Iraqi Constitution and perpetuates a shameful constitutional deadlock. For the future of Iraq as universally sought, democratic, inclusive, decent, moderate, studious and modern, Jaafar is it.

With more deaths on the Iraqi street because of a lame, impotent caretaker government, Jaafar's public appearances have revealed to a thirsty public that they are not alone. I threw my lot behind Sayyed Jaafar's name in private then in public, because I am convinced that the deadlock persisting since March needs to give way to confluence: the image is that of rivulets of political parties and factions meeting in the mainstream. Iraq is at a crossroads that is key not only to the region but also to the world. As US military presence winds down decisively, the confluence needed has become regional and international. Without a government, Iraq will be increasingly unstable. Last Tuesday's massacre issued a double warning: military recruits were targeted, as well as judges. This is a powerful signal for Messrs. Maliki and Iyad Allawi to finally step aside and give way to a confluence candidate.

Confluence, rather than compromise, underlines my advocacy for Jaafar al-Sadr. Iraqi colleagues in the leadership know how reluctant I always was, during their days in opposition and then in government, to trade in names for high office. I always resisted the name calling game, and wrote systematically against the havoc wreaked by US and UN agencies and envoys in the early years of post-Saddam Iraq, when many were brutally pushing their own candidate. Premiership is a uniquely Iraqi business, and I believe there are excellent candidates, including those who are known worldwide, Allawi, Maliki, Ibrahim Jaafari, Ahmad Chalabi, and those whose names are less well known among the larger public: Husain Shahrastani, Ibrahim Bahr al-Ulum, Mahdi Abd al-Hadi, Humam Hamoudi, to only mention Iraqi Shiites – this will change over time as democracy take further root in the country.

The more I listen to Sayyed Jaafar, and I have met him often over the past few months, the more I am persuaded of his unique potential as premier for Iraq. The larger public needs to hear him more, indeed put him to the test, and I have chosen from a number of public utterances some of the themes where the confluence appears best:

Jaafar al-Sadr in his own words

On Islam and the state

I do not believe in the thesis of political Islam as advocated by some theoreticians, the Muslim Brotherhood, the Taliban government, and to some extent the Iranian experiment. Their views address the issue through a formal Islamic framework, whereas I believe that religion, which is an essential orientation and an original component of our culture has addressed societal issues by being attentive to the spirit of change and development, and has therefore not offered specific arrested formulae that one could see to be prone to rigidity and to be far from natural rules of development and change. The approach of religion, especially Islam, is that formulated within the framework of higher principles, values and meanings, which require these values to suffuse the social field, whether the matter concerns the organization of the family or the state or the work of economic institutions or others. As for the state, Islam gives its trust to the nation to organize its affairs itself without any guardianship over it by anyone, and calls for the principles of justice, fairness and decency, and for the rejection of totalitarianism. If these principles are achieved, the government is fine for Islam whatever its organizational form. The main concern of religion should not be formal, and therefore the problematic of separation [of state and religion] as it prevails in current readings does not pay enough attention to what I've mentioned. If you read Mohammad Baqr Sadr's "Succession of Man and the Testimony of the Prophets" that my father wrote toward the end of his life, you will find much of what I say and argue in this book. I believe that my martyred father had a scientific, critical thought which was capable of reaching beyond itself, this is why we see him going from the period of building a theory on shura, which is the period that saw the founding of the [Daawa] party, to the adoption of the guardianship of the jurist, which he was attentive to under the concept of good government to his proposal in the "Succession of Man," which I understand, together with his last statements, as he called for elections and the arbitration of the nation, and the achievement of a state of justice and equality. This is how I read the thought of my late father with the spirit

of today, as indeed was his method. My reading might be wrong, so what? Never have reason or creativity stopped.

The concept of secularism faces in our societies deadlocks and historical and cultural problems, even heavy psychological connotations. This is why I prefer to use in my discourse the concept of 'civil' (rather than secular), or 'civil state,' which is the formula closer to the German or British model in dealing with the state.

#### On current Iraqi politics

No doubt my relationship to Mr. Maliki is good. He knows that, and he also knows that I am associated with the State of Law coalition to the extent of his commitment to the slogans that he presented before the Iraqis. Politics does not rest on associations and personal followings but on programs with provisional and long-term objectives. In light of these conditions, a person may decide in this or that position.

For our good luck Iraq has a number of distinguished political leaders who have great capacities to be prime minister, including Mr. Nouri Maliki, or the head of the Iraqi list Dr. Ayad Allawi, or Dr. Adel Abdul Mahdi. There could be another person on the scene from outside these names, but the person in charge will in any case have to accept collective cooperation in decision making, the overview of Parliament and of legal institutions, and the respect for law and the need to work with all components of society to build a real partnership not only to face up to the present difficulties but also to share the hopes of tomorrow. I do not think that Iraqis will accept, after their bitter historic subjection to individual authoritarianism in power, or the rule of the country by a single party, people in power who do not believe first and foremost in the right of citizenship.

I believe that the exclusion of any component or name or thought or community in the absolute is a decision which is illegal and violates democracy. This problem must be addressed through the courts, because the judiciary is the constitutional institution that is responsible for criminal accountability and for trying them if their guilt is proven. If the political body takes on this role of exclusion it is wrong.

#### On Iraq and the US

We will be careful to establish excellent relations with the United States after the withdrawal of American forces, whether in the economic, scientific, or cultural sphere. No one can ignore the power and importance of the United States in today's world, and the US has a moral obligation to compensate the Iraqi people for the suffering endured during the occupation, the wars, and the tyranny (of the previous regime), and do so by ensuring the success of our democratic experiment, and helping us to improve services, sciences, culture, and even the security situation in Iraq.

As for security, the agreements reached with the United States are clear. There is a timetable that the two parties have agreed to for the careful withdrawal of the troops. This I think is mostly over but does not prevent the construction of a strong relationship with the US in all the above fields.

The security agreements with the US were the right legal way to organize the relations between the State of Iraq and American military presence. To that extent I believe that the security agreement was a positive achievement.

Jaafar al-Sadr is an Iraqi MP. The excerpts are from an interview with Sayf al-Khayyat in *Ilaf* on June 19. Chibli Mallat is Presidential Professor of law at the University of Utah and the author of several books on Iraq, including on the thought of the late Mohammad Baqer al-Sadr.

*Chibli Mallat is The Daily Star law editor. He is Professor of Middle Eastern Law and Politics at the University of Utah and EU Jean Monnet Professor of European Law at Saint-Joseph's University in Lebanon. His Introduction to Middle Eastern Law was published at Oxford University Press.*