

Iraq in search of leadership JMBS, SM, FM

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by Chibli Mallat

Jaafar Muhammad Baqer al-Sadr for Prime Minister, Saleh Mutlak for President, Fuad Masum for Speaker of Parliament. This is my proposed solution to the persistent constitutional deadlock in Iraq.

Why them ?

In the first place, change across the board of the top-tier leadership is good for democracy. Both outgoing Prime Minister Maliki and President Talibani are on record saying they would not seek a new mandate, and the respect for their public promise would provide a precedent away from leaders lying through their teeth about not wanting to seek a new mandate, and acting exactly opposite.

Secondly, there is a need to break the most difficult deadlock of all, that of the Prime Ministership, the key position for the country. This is where the solution starts. A few weeks ago, I wrote an open letter to Nuri al-Maliki and Ayad Allawi, carried by the Iraqi Sumariyya, the Lebanese an-Nahar and the Arab al-Sharq al-Awsat, advocating a compromise over a third candidate in the person of Jaafar Muhammad Baqer al-Sadr. He is the best solution to the PM-ship deadlock in Iraq: at 40, a young thoughtful MP who got the best results second to Maliki on his list, a fresh start without any blood on his hands, the scion of a bridge-making family and a moderate by all accounts, in public appearances and personal exchanges. The son of the most remarkable Islamic thinker of the 20th century, who was executed without trial by Saddam Hussein in 1980; Jaafar Sadr refuses to hold grudges and can see the larger picture. He spoke early in the campaign, unique amongst top Shi'i politicians, that the exclusion of Sunni candidates was wrong in a democracy. He originally studied in Qum to become a marja'. After ten years of theological-legal studies, he chose to abandon a religious career in a belief that some distance ought to be kept between religion and politics. This is an important feature of public life in Iraq, and is supported by Sistani, Hakim, and the other two leading marja's, in the article this page also carries from a unique access provided to Jihad Zein in Najaf. Yesterday, Jaafar, again the only leading Iraqi MP, denounced the constitutional masquerade of Parliament declining to elect its Speaker and declaring its sitting in 'open session.'

In the context of the announced departure of American troops, Jaafar, who is also supported by the people who follow his cousin and brother-in-law Muqtada, ensures 'Shi'i' stability. The Muqtada-led rebellion will be over the moment Jaafar leads the country. By running on Maliki's list, Jaafar has proven his detachment from the more

religious-based list led by Ammar al-Hakim and Ibrahim al-Jaafari. Jaafar al-Sadr has since his success in the elections been widely courted domestically and internationally, with a thoughtful article in the *Los Angeles Times* underlining his meteoric rise and needed leadership as consensus-reinforcing Prime Minister. Despite many friendships across the Iraqi board of impressive contenders, he is my preferred candidate for the position.

Dr Fuad Masum, who was chosen to open up the first parliamentary session, is universally respected in Iraq. He is the ideal Speaker, and his knowledge of the constitutional dossier unparalleled. True, his Speakership would mean that the Kurds would no longer hold the presidency, but as the close friend and associate of Talibani, Masum would allow Maam Jalal to get the position in history that he deserves, that of the grand old man of Iraqi politics. It is also important to break the rising specter of Lebanese-style constitutional sectarianism in Iraq, which is to assign top jobs to given communities or ethnies: not a single position in the new government should remain assigned to a particular sectarian or national identity, and with the shuffle of the presidency and speakership, natural change will eventually pave the way for the prime ministership not to be the constraining privilege of the Shi'i community. I had the privilege of long discussions with Masum in and around the Constitutional Review Committee. This is unfinished, pressing work, which he would be in a key position to complete.

As for Dr Saleh Mutlak, who was pushed out from the electoral process despite his undeniable leadership of the Sunni political comeback in Iraq, and a decision of the Federal Supreme Court protecting his right to run, he has proved both powerful and wise. He refused to let his camp boycott the elections, and this moderate embrace is the main reason for the success of the Allawi list. His wisdom, which saved the process, should be recognized, and the presidency is a position where his moderation and intelligence would be put to good use for the democratic stability of Iraq. With Mutlak, who told me he sought to remove Saddam Hussein in 2002-3 to avoid the invasion of the country, the Sunni rebellion would be by-and-large over.

Chibli Mallat's latest book, *Iraq: Guide to Law and Policy*, was published at Aspen/Kluwer Law International.

From the list administrator. In 2005, Lebanon's Cedar Revolution charted the path to non-violence in the Middle East. In 2009, the Iranian Green Revolution promised a similar course. Both revolutions are historic landmarks for human rights and democracy, but they remain incomplete. This list draws its inspiration from the ongoing tragic sacrifices and high hopes of participants in these unfinished revolutions. It carries the message of non-violence as the key instrument for change from China to Mauritania, with a focus on the Middle East. Several thousand recipients with an interest in peaceful change across the world are on the list. If you wish to unsubscribe, please send an e-mail to list@mallatlist.info with "unsubscribe" in the subject line. Conversely, please disseminate as you see appropriate, or suggest additional emails to the list administrator at office@mallat.com