



THIS STORY HAS BEEN FORMATTED FOR EASY PRINTING

PETER CHOCHARIS

The Boston Globe

Last chance for peace

By Peter Choharis | October 10, 2005

A WEEK from now, Iraqis will vote on a permanent constitution. The good news: No matter the election results, a political deal might still be possible that can achieve stability. The bad news: Unless the administration acts boldly to broker a political deal outside of the constitutional process, we will lose the last chance for peace even if the constitution passes.

Since March 2004, America's political strategy for defeating the insurgency has been to have Iraqis form their own government. A senior administration official recently described passage of the constitution as "critically important" for "holding this whole thing together." Many Iraqis seem to agree. Just last week, a coalition of Shi'ites and Kurds in parliament tried to alter the voting rules to ensure that the constitution would pass, backing down only under UN, US, and Sunni pressure.

But others realize that the constitution alone will not be enough. As General John P. Abizaid, the head of Central Command, recently admitted, "A vote for the constitution doesn't mean we're headed for peace and prosperity."

Even if the constitution passes, without widespread Sunni support, the new constitution and subsequent government will lack legitimacy. The senior military commander in Iraq, General George W. Casey Jr., recently testified, "We've looked for the constitution to be a national compact, and the perception now is that it's not, particularly among the Sunnis."

And if the constitution fails, it will be too late to hold new rounds of constitutional drafting and voting unless trust in democracy can be restored. The Transitional Administrative Law that established the constitutional process presumed sufficient security and popular support to maintain faith in a democratic process -- a faith already battered by sharp divisions during the constitution drafting and two years of brutal sectarian violence. To draft a new constitution and hold another vote, Iraqis will first need a new deal that can garner immediate support and restore faith in political solutions.

Thus, no matter what the referendum results, a political deal outside of the constitutional process that immediately addresses outstanding Sunni grievances is crucial.

Iraq is hurtling toward a political crisis that will soon preclude meaningful negotiations and compromise. Abu Musab al-Zarqawi has not only unified suicidal jihadists, he has also forged alliances with former Ba'athist insurgents. As a result, moderate Sunnis are increasingly intimidated from cooperating with the government, while moderate Shi'ites are confronting rising radicalism and anger within their own ranks.

The Bush administration is also losing room to maneuver. Even before Hurricane Katrina, barely one in three Americans approved of the president's handling of the war. With hurricane repair estimates at \$200 billion to \$300 billion, more than 80 percent of Americans are very or somewhat concerned that the \$5 billion spent every month in Iraq is diverting money needed at home, according to a New York Times/CBS News poll.

The administration should convene a White House summit of Iraqi leaders to tackle remaining points of contention and make clear that a real consensus (versus a flawed constitution) is the last chance for peace.

Such a consensus could include the following: (1) The Kurds and Shi'ites must guarantee a specific percentage of oil and general government revenues for Sunni-dominated areas for the next five years -- not the vague formulation contained in the constitution. (2) The National De-Ba'athification Commission should limit itself to former high-ranking party and military officials, with a general amnesty program available to anyone who did not commit war crimes. Amnesty recipients should have all rights of citizenship restored, including eligibility for public office. (3) Shi'ite leaders must publicly renounce meddling from Iran, promise to limit the number of clerics on the Supreme Federal Court, and pledge to wait at least three years before proposing a Shi'ite region in the south. (4) Sunnis must accept that a strong federalist structure can benefit them religiously,

economically, and politically. While not legally binding, such an agreement could have an immediate political impact that could buttress the constitutional process.

This kind of deal can only be fashioned by direct negotiations at the highest levels of the US government. Even then, it will not be easy. After the United States initially kept its distance during the constitution drafting, President Bush was personally rebuffed when he called the Shi'ite leader of the Sciri Party to seek last-minute concessions.

But unless the administration succeeds in crafting a better deal for all sides, it will not be the ink-stained fingers of Iraqi voters, but the blood-soaked fingers of terrorists, that will determine Iraq's fate.

Peter Charles Choharis, a visiting scholar at George Washington University School of Law, was executive director of the 2004 Democratic Platform Committee. ■

© [Copyright](#) 2006 The New York Times Company