



IRAQ'S SOVEREIGNTY CRISIS

The First Document focusing on National Sovereignty in Iraq

From the Thoughts and Experiences of Iraq's Prime Ministers,
Speakers of Parliament, Politicians and Academics 2004-2020

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Translation of the original executive summary (Arabic)

العراق للطبوع



العالمين للنشر

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Introduction: Iraq's Sovereignty Crisis, Vision and Methodology

Dr. Ibrahim Bahr Alolom

Overview of the Project on Iraq's Sovereignty Crisis

In 2019 and 2020, the issue of national sovereignty became one of the most discussed topics in the Iraqi political milieu. With further developments of regional and international tensions that have continued to destabilize the region and Iraq particularly, the topic of sovereignty has become increasingly relevant and urgent. A clear concept of sovereignty has been absent, given the political schism between the political and societal elites, and the prevalent bloc polity. The lack of harmony and prevailing discord has disrupted the development of a sound vision that truly identifies the areas of national interests for the country to effectively serve all of its people.

Therefore, taking a deep look and delving into the issue of sovereignty has become an urgent need. Accordingly, the **El-Alamein Institute for Higher Studies** in cooperation with **Bahr Al-Ulloum Forum for Dialogue** and **Al-Muwatin** newspaper, called on the prime ministers who assumed the premiership in post-2003 Iraq, to engage in a serious dialogue on the way they approached the issue of sovereignty during their tenure in office. The outputs of this dialogue would constitute a basis to communicate with wider circles, with the purpose of attaining a common, albeit minimal, understanding of the concept of sovereignty in Iraq.

This report is a translation of the executive summary drafted of the 600-page book (Arabic) produced for this project. Below is an outline of the stages and chapters of the book, which will be presented with highlighted summaries in this report.

Vision and Experience of the Prime Ministers: 2004 - 2020

On February 27, 2020, our team sent the following invitation to the former prime ministers of Iraq; Dr. Ayad Allawi (2004-2005), Hajj Nouri al-Maliki (2006-2014), Dr. Haidar al-Abadi (2014-2018), and Dr. Adel Abdel Mahdi (2018-2020):

Peace be upon you,

The Institute of El-Alamein for Graduate Studies - Department of Political Sciences, in cooperation with the Bahr Al-Ulloum Forum for Dialogue, intends to host a specialized workshop to discuss the Iraqi sovereignty crisis. We would be honored if you would participate through a paper reflecting the vision and experience of your premiership. The paper will constitute one of the workshop's key documents. It will be presented to researchers, experts and academics in public policy for their feedback. The topics that we wish you to address are as follows:

1. Does the current political system affect Iraqi sovereignty positively or negatively?
2. Are regional and international factors managed in such a way as to achieve or violate Iraqi sovereignty?
3. Does the criterion for achieving national interests dictate the form of sovereignty?
4. Does the balance in achieving regional and international interests guarantee sovereignty for Iraq?
5. How has your government approached the issue of sovereignty for Iraq?

Due to the COVID-19 pandemic, answers came relatively late. They were however completed by August 2020. These answers became the primary material for dialogue in the following stages. No doubt, the prime ministers openly and generously sharing the lived experiences of their premierships, especially in the context of the discourse on national sovereignty, should be appreciated and applauded.

Our team did not restrict the length of the prompted responses, so they did in fact vary in length. This introductory chapter became the basis for the chapters that followed. This present document addresses the spatio-temporal continuum of a primary challenge that has been confronting Iraq since 2003.

Vision and Experience of the Speakers of Parliaments: 2005 - 2018

The achievement of sovereignty is entrusted to and expected from the state and its various branches. The legislative branch has an integral role in achieving sovereignty, ensuring that it is not violated, and preserving national interests through cooperation with the executive branch. Therefore, we were keen to ensure the second phase of the project identifies areas of overlap in the visions of the speakers of parliament during the period between 2005 and 2020. Their engagement with this project was very constructive. The speakers' papers clearly reflected their perceptions and experiences with regards to the concept of sovereignty for Iraq during their tenure. The collection of these papers constituted the second part of the project and was included in the second chapter of the book. We presented this second chapter to be subject to thorough reading with the same lens and methodology that was followed with the first chapter on the prime ministers.

Feedback from Politicians, Academics and Researchers

The third phase of the project was devoted to learning about the views of politicians, academics, thinkers, and researchers, on the five topics addressed by the prime ministers. The response to the project has been encouraging in general, reflecting the awareness of its importance considering the current circumstances and political climate. Nearly fifty politicians, academics, thinkers and researchers participated in this dialogue. Each participant was assigned a specific topic. Their answers were then compared and contrasted with those of the speakers of parliament, and then analyzed further to produce a common vision. Although participation in general was broad and diversified in all topics, the first and third parts have been subject to many comments, pushing us to divide these into two parts. The first part addresses the current political system, and the third explores the space allocated to the national interests that determine the form of sovereignty of Iraq.

The importance of the comments lies in the diversity of Iraqi perspectives. Most of them are characterized by an ample knowledge, a concern for the national interest and forthrightness. Most participants adhered to the time allocated to comments. The participation of this influential group, encompassing most of the Iraqi spectrum, and which focused on the prime ministers' discourse for specific topics within the theme of sovereignty, has been greatly valued and much appreciated. It was not easy task for the project overseers to get the participants to provide answers on all topics, although some of them generously tried doing so.

We also had to respect the unwillingness of some of our participants to strike direct comparisons with the answers of the prime ministers. They favored putting forward the vision they believe in, which is a legitimate option for any politician or researcher.

Generally, we should not look at the divergence or convergence of answers as a criterion in understanding the project and its dimensions. This distinctive dialogue, that focuses on the governance experience lived by the Iraqis, is presented directly before this class of political elite to be assessed from different angles. This bestows on the project a pioneering aspect in enabling an objective comparison, deepening the understanding of the country's complexities, and criticizing and enriching the experience. Chapter Three, consisting of seven parts, contains all the comments received.

Conclusions and Recommendations

The fourth stage of the project and the fourth chapter of the book include the formulation of conclusions and recommendations related to the ideas and perceptions presented in the previous three chapters. A team of academics from Iraqi universities reviewed the thesis of "Iraq's sovereignty crisis." The related chapters are authored by numerous political leaders, legal and political personalities, and qualified academics, who produced outcomes and recommendations. In the same context, we asked the eight academic team members, separately, about what they believe could be extracted from the documents, comments and conclusions related to the sovereignty issue.

Executive Summary

The last stage of the project has been critical. It fell to several other promising young people from academic and media backgrounds, who are conversant with the political scene, to examine the various political and academic trends of sovereignty. They expressed their readiness to read the first document as well as the feedback related to one of the five topics, and to identify convergences and divergences. What makes this paper robust is that those who undertook the task presented their scientific perspectives of the sovereignty concept, its development, and complexities. They presented summaries of the book's chapters; including the first document (prime ministers), the second document (speakers of parliament), the third document (politicians, academics, and researchers), and the conclusions and recommendations. This constituted the book's fifth chapter.

Coming Out of Alienation

This project attempts mainly to sketch an outline of the concept of sovereignty among Iraqis. This attempt is made through a free and candid discussion that combines political thought and experience on the one hand, and academic and research experiences on the other. This project generates momentum toward the development of approaches to the issue of sovereignty. Developed approaches take into account the uniqueness of the Iraqi experience, and abstain from duplicating political theories and international experiences to impose them on the Iraqi experience. Nonetheless, other theories and experiences could be used to reach the maturation of both the project and the experience overall. However, the goal is to maintain the project's Iraqi ownership away from external influences, with the hope of elucidating the concept for Iraq.

Another key aspect of the project stands out; it is being developed by Iraqi political minds that have had a seventeen-year governing experience; by leaders and political cadres from diverse backgrounds, ideologies and peoples who have contributed in one way or another in what we are today; and by academics and researchers who underwent their own experiences. We were keen to secure the participation of a younger generation (born in the nineties) in this dialogue. This combination between the three tributaries on the one hand and distinct generations on the other, will allow the experiences to be read and understood from a more comprehensive perspective. Moreover, it will narrow the gap between experience and theory. This way, political thought, the political system and international relations cultivated by our politicians, become a practical subject for dialogue among academics in the domains of political and social sciences, and continue to be studied in Iraqi research centers.

We are eager to involve more informed young leaders in such dialogues. We also aspire to work toward updating our political curricula and research programs in colleges and institutes to include such practical material. Teaching should not be exclusively theoretical, nor should it solely present external experiences that are disconnected from the experience of our own country. It should rather be coupled with the lived political experience so that our students do not suffer national alienation.

This is a rich experience for politicians and academics as it offers them the opportunity to benefit from one another in developing the vision, as well as the method, for a sovereign Iraq. Furthermore, it allows them to assist in the follow-up and feedback, so that everyone contributes to shaping our country's political future.

It is important to note some disclaimers and observations from this project:

1. The opinions expressed in this book are not necessarily those of the Institute, the Forum, the Institution, or the Newspaper. They are rather respected opinions of their authors.
2. Certain researchers did not adhere to the specified limits required for comments or summarization. We determined that the complete vision should be published in the book, in appreciation of the response and out of respect for the opinions. In this report, the comments are summarized.
3. Adhering to the principle of freedom of expression and opinion, and out of respect for these valuable and scientific contributions, we favored publishing the entire comment without any change to be included in the book. In this report, the comments are summarized.
4. We hope that another forthcoming project would bring us together with our colleagues who apologized and excused themselves from participating due to prior commitments.

Conclusion

We concluded the project by raising a key question: How does the School of Najaf conceive sovereignty? More precisely, how does the supreme religious authority in Najaf (Marja'iyya) view the concept of sovereignty? Hence, it has been valuable to explore the concepts and mechanisms that make up the modern state through the speeches and statements of the Marja'iyya over the past seventeen years, of which "sovereignty" constitutes an important element. You will see the fifth and final chapter of this report dedicated to these questions.

We conclude by praying that God, may He be glorified and exalted, help those who work for the good of the country and its people.

Dr. Ibrahim Bahr Alolom
Baghdad, Iraq
4 December 2020

Chapter 1:

Sovereignty and the Executive Powers

Thoughts and Experiences of Iraq's Prime Ministers 2004-2020

Summary Compiled By

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Contributors

- Dr. Ayad Allawi
- Dr. Ibrahim Al-Jaafari
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- Dr. Haidar Al-Abadi
- Dr. Adel Abdul Mahdi

The Concept of Sovereignty

After the dissolution of the Soviet Union in 1991 and the establishment of the unipolar international system led by the United States, a new model emerged in international relations. States no longer retained absolute power to act on their territory, as in with dictatorial regimes that violate human rights, as well as radical movements, and terrorist groups. Therefore, the UN Security Council has come to issue military and economic resolutions under the title of international humanitarian intervention to mitigate the violation of human rights, radical movements, and extremism. However, Russia and China were determined to establish a multi-polar international system. Since the advent of the “Arab Spring” in 2010, two United Nations Security Council members, Russia and China, have abstained from voting in favor of US decisions that violate national sovereignty, bringing down opposing regimes, under the pretext of humanitarian intervention, democracy, and human rights.

In this chapter, we try providing a summary of the perspective of the post-2003 Iraqi prime ministers (2004-2018) on the concept of sovereignty and how it was dealt with during their tenure in office.

His Excellency Prime Minister Ayad Allawi: 2004 - 2005

Question 1: Does the current political system affect sovereignty positively or negatively?

The structure of the political system affected national sovereignty in Iraq. The institutional structure has been based on sectarian fragmentation, and regional and tribal divisions. Moreover, the lack of national reconciliation contributed to the presence of armed military and militia groups outside the framework of the decaying military system. This reality promoted the intervention of foreign forces whether directly or by proxy. Given the weakness of the Iraqi forces, the presence of foreign forces, such as the international coalition forces, might be necessary to eliminate terrorism. However, the rules of engagement with these forces were undefined.

Identifying this, the emphasis on the national dimension to fighting against terrorism was a prominent component in the fatwa of *jihad kifa'i*⁽¹⁾ as well as in *shaping al-Hashd al-Sha'bi*, or **Popular Mobilization Forces**, who participated in the fight against terrorism and the liberation of the occupied lands.

Furthermore, the economic system remains dependent upon the decisions of Chapters Six and Seven of the United Nations Charter. The dollar - gained through the Iraqi rentier economy - is entered into the country

(1) Collective obligation on the Umma rather than on each and every individual.
Translator's note.

through a bank designated by UN decisions in New York. Not to mention debts and loans that cast their weight on the Iraqi economy. This affects the sovereignty issue negatively. Elections, on their turn, were neither democratic nor transparent due to regional and international interferences.

Question 2: Are regional and international factors managed in such a way as to achieve or violate sovereignty?

Managing regional and international factors is carried out to achieve sovereignty once Iraq is powerful politically, economically, and socially. However, relations with other countries are mismanaged. Also, whenever Iraq attempts to open economic and trade channels with various countries in general and with neighbouring countries in particular, these attempts are always thwarted.

Question 3: Does the criterion for achieving national interests determine the form of sovereignty?

National interests determine sovereignty, and whether it exists or not. In Iraq, we do not heed national interests, the proof of which is the deterioration of the economic situation and the accumulation of debt.

Question 4: Does the balance in achieving regional and international interests guarantee sovereignty?

Yes, it does; however, it needs a strong Iraqi national government. This is achieved through the unity of both society and political powers, as well as through the efficiency of those in charge, not to mention solid economic, political, and social positions.

Question 5: How has your government dealt with the issue of sovereignty?

1. Building a solid, multi-dimensional economy, based on eliminating indebtedness, fighting corruption, building institutions, establishing a coherent financial and monetary policy to shrink unemployment rates. Institutions with explicit roles in these domains have been established, such as the Reconstruction Council; the Supreme Oil and Gas Council; the Supreme Economic Commission; the Privatization Commission.
2. Restoring Iraq's logistical and military potential; holding timely elections; combating terrorism and countering violence and extremism; differentiating between resistance and terrorism; insisting on ending the presence of occupation forces or multinational forces.

3. Strengthening Iraq's foreign policy by calling for the "Sharm el-Sheikh" conference that has been attended by foreign ministers of the five permanent members of the Security Council, as well as by the Arab League, the Gulf Cooperation Council, and the Organization of the Islamic Conference. This Conference boosted relations between countries and opened the region to the world, politically rather than militarily.

H.E. Prime Minister Nouri al-Maliki: 2006-2010/2010-2014

Question 1: Does the nature of the current political regime adversely or positively affect sovereignty?

The federal and pluralistic parliamentary system is adopted in representative democracies, and these countries enjoy full sovereignty and stability. Therefore, the nature of the political system in Iraq has no direct negative implications on sovereignty, and it is supposed to have a positive impact through its integration of social pluralism within the hierarchy of the political system. The representation of societal components in government should also promote sovereignty and prevent states from interfering in Iraq's affairs under the pretext of protecting certain components. However, the instability of the political system in Iraq, due to it being recent, and the lack of a solution to some internal problems in the practice of the federal system have made this political system vulnerable to interference in national sovereign affairs, such as the continuous disputes between Baghdad and Erbil, which is what we call "fragmented sovereignty".

Question 2: [What is the role] of awareness and management of regional and international factors in the realization and violation of sovereignty?

All countries, driven by technological developments, are no longer insulated from global changes. And Iraq cannot distance itself due to its strategic location, natural resources, its widely coveted oil and wealth, and the presence of regional states partaking in conflict among major players in the Middle East. We are in a region full of major world events and issues of grave importance.

Iraq can become a regional and international point of balance. This can be achieved by managing a complex equation of constant and changing equilibriums through effective diplomacy; an independent foreign policy that carries out a process of coherent cooperation between the interests of Iraq as well as regional and international interests; and by empowering its national unity through societal consensus and balancing the rights of each

component in fairness and understanding. Foreign policy is an extension of internal politics, which makes neutrality or not aligning with any of the conflicting powers in the region a consistent and stable political approach.

Question 3: Is achieving national interests considered a measure that determines the form of sovereignty?

Interests are intertwined, and the national interest can only be achieved through recognition of mutual interests among states. Similarly, sovereignty can only be viewed through the scope of the achieved sovereignty in neighboring states. National interest must be a priority within the state, but sometimes protecting national interests calls for compromise on sovereignty - such as Iraq's hosting of military forces of the international coalition on its national territory, in order to fight ISIS. In this case, national interests are the measure, and enjoy priority over sovereignty due to the imminent threat facing security and stability.

Question 4: Does striking a balance in achieving regional and international interests guarantee sovereignty?

Respect for the sovereignty of the state is a moral principle that is protected by the Charter of the United Nations, but there are interventions in the affairs of states and violations of their sovereignty by major powers. For Iraq to avoid intersecting with the influential regional powers and the dominant world powers, it should approach its interests with a balanced vision based on openness, understanding and mutual agreement, and enter into treaties and agreements that are in its own interest, foremost, and in common interests with partnering states. This will firmly maintain Iraq's sovereignty, prevent further interference in its affairs, and set limits to greed over its lands and resources.

Question 5: How did your Iraqi Government address the question of sovereignty?

The question of sovereignty was addressed in a number of ways. One example is the agreement with Kuwait to shut the invasion case and its offshoots. Another is the 2008 security agreement to withdraw multinational forces and regulate Iraq's ties with the United States through a strategic framework agreement held between two sovereign states on the basis of autonomous will, and the empowerment of the state's internal sovereignty by concentrating and employing power exclusively through the military and security institutions of the countries. In addition, building up the military and the national security apparatus to guard the sovereignty of the country.

Moreover, forming an agreement and establishing a higher council for economic cooperation with Turkey to resolve problems through dialogue and peaceful means. Finally, completing agreements and signing cooperation protocols on various levels with neighboring countries to promote Iraq's intersecting interests, cooperating on border control and preventing the infiltration of terrorists.

H.E. Prime Minister Haidar al-Abadi: 2014-2018

Question 1: Does the nature of the current political system adversely or positively affect sovereignty?

A political system is associated and assessed by its performance and output. Simple centralized systems are characterized by sovereign cohesion due to high centralization of decisions, departments and policies, while decentralized and federal systems allow for the sharing of powers, authorities, and participation in public policy. And with partial social readiness and performance, administrative deficiency, and partisan rivalry, sovereignty is hit at its core. Furthermore, the nature of the consensual system also helps against the fragmentation of the state's sovereign actions. For building a system on the basis of ethnic and sectarian components in the main functions of the state, such as ministries, committees and institutions, led to a quota system in wealth and power. This has created partisan bastions that are monopolizing representation and interests, and contending over expressions of national sovereignty.

Question 2: [What is the role] of awareness and management of regional and international factors in the realization and violation of sovereignty?

It is delusional to think that it is possible to defend the interests of any state based on the sole interest of a given state. The greatest mistakes in which leaders fall is to consider that they are operating independently of their surroundings and the world, and that their policies are not organically related to other regional and international entities, in terms of mutual benefits and drawbacks. The overlap has become universal in all political and economic matters, and governments should be aware of the nature of their regional equations, the world's trends and decision centers, the nature of the conflict of interests and its economic political actions. Based on these considerations, governments should plan a balanced and wise governance that is conscious of its own interests, and must pursue shared interests, and firmly manage ties with other entities in accordance with the requirements of sovereignty and interests of the state, where interests are achieved away from foreign domination, authority or intervention.

Question 3: Is achieving national interests considered a measure that determines the form of sovereignty?

Sovereignty is not a static concept that depends on a personal understanding of national interests and priorities, and the extent of your power or weakness at times of conflict. Rather, powers that are larger than your national capability can push you into policies that may seem detrimental to national sovereignty in form, but that uphold the sovereign interests of the state in essence given the international and regional balance of powers. Iraq has benefited from international powers to liberate itself of terrorism, but also respected its capabilities and interests, and maintained its sovereign unity.

Question 4: Does the balance in achieving regional and international interests guarantee sovereignty?

Dr. Haidar al-Abadi did not answer this question.

Question 5: How did your Iraqi Government address the question of sovereignty?

The government's view and overarching policy was that sovereignty is in the indivisible whole. Maintaining sovereignty is a responsibility falling collectively on the authorities, parties, and the people. The government was able to settle the battles for the benefit of Iraq with the help of the people, symbols, elite and fighters, and with the proper management of its military, economic and foreign relations battles. The complete restoration of the state is done only by restoring whatever is usurped by internal and external powers. The Government relied on: the principle of "effective governance" based on the sovereign unity of the federal state, rather than being replaced and opposed by local authorities (that may be called "disguised states") with emphasis on the principle of decentralized administration; a commitment to national citizenship, identity and interests, as opposed to the system of components and their sub-interests; the strength of state institutions by managing their security, economic and sovereign functions; continuing reforms of the body and institutions of the state in the hope of achieving good governance; optimal recruitment of available human capacity and resources; the national political will that is not biased towards regional and international interlocutors and strategy; and awareness and balanced management of the nature of crises and the equations of the region and the world. The government needed an internal grab, and an external integration process to achieve full sovereignty.

H.E. Prime Minister Adel Abdel Mahdi: 2018-2020

Question 1: Does the nature of the current political system adversely or positively affect sovereignty?

The concept of sovereignty differs from system to system, including the ruling philosophy between positional, religious and national theories, or theories of origin or place. Perhaps the stage of Iraq's occupation in 2003 represented a complete violation of sovereignty, as the legislative, executive and judicial authorities became under the control of the interim administration. We approached "legitimate sovereignty" after the decision to end the occupation, and the choice of a parliamentary system according to the permanent constitution that was approved by popular referendum, the expansion of freedoms, and the peaceful transition of power. However, we did not reach "political sovereignty." There are missing elements that express the will of voters, the mechanisms of the political system, including the laws of parties and elections, the maturity of the political class, the end of lawlessness, and the independence of the judiciary. We are still far from "popular sovereignty" in its constitutional and political sense, although there are many populist influences in shaping our political system.

Question 2: [What is the role] of awareness and management of regional and international factors in the realization and violation of sovereignty?

The world order is not integrated or harmonious, especially in the transition from bipolarity to unipolarity, to the transition to multipolarity. To accept the terms, leadership and requirements of this system, and the nature of our relationship with it - and to achieve our aspirations, protect our countries, our sovereignty and our independence - we must tend towards a multipolar system as opposed to a unipolar order (summarized by the slogan "America first"). These structural developments require us to let go of earlier assessments and not act on impulses. We do not lose old friendships and interests, nor do we hesitate to build new, more dynamic and powerful ones.

Question 3: Is achieving national interests considered a measure that determines the form of sovereignty?

"Land for Peace" or "Oil for Food" have two faces; that is, to be safe in your homeland, you must give me your land, or to have some food, electricity, and water you have to give me sovereignty over your oil, alliances, and relations with others. Japan and others are sovereign countries, but they lose much of the independence of their decisions because of previous

pressures, as did Iraq. Iraq has restored lands from ISIS thanks to the resistance factions, the most important of which is the Popular Mobilization Forces. But there were calls to curb or dissolve these forces. It is as if the resistance and popular forces were merely mercenary forces whose duty was to cover up the failure of states and governments, or the failure of the regional and international system to defend the interests of the states.

Question 4: Does the balance in achieving regional and international interests guarantee sovereignty?

The decentralized federal system in Iraq after 2003 did not define the limits of sovereignty and the terms of reference between the federal and local governments and the Kurdistan region. Nor did it define the role of the armed forces inherited from the struggle against the former regime, such as the *Peshmerga* or *Badr*; or the extent to which border outlets and economic and oil policies are controlled. Structural differences have given way to challenges to the authority of the state, and a series of violation of sovereignty by various parties.

Question 5: How did your Iraqi Government address the question of sovereignty?

We have relied on the people to guarantee sovereignty and state security. We have discussed with the military leaders the military doctrine of military strategy. We have begun discussions with Kurdistan on oil. We have adopted a policy of activating relations with the neighboring countries through signing memorandums of understanding and openness. We have taken steps to establish the strategic line for transferring oil and gas to the refiners in Jordan, the Aqaba port, Syrian ports, and to discuss the reactivation of the Lebanese port of Tripoli. We have taken steps toward understanding with Turkey on the files of security and oil; Kuwait to settle the file of compensations, missing persons, and al-Faw Great Harbor; and to discuss with Iran solutions to some sovereignty issues. This includes Shatt al-Arab, Al-Amiya port, the common oil fields, and fighting terrorism. With regard to the foreign forces, its presence is based on fighting ISIS and training the Iraqi forces. We are pursuing liberalization of the economy from dependence through the concept of "the economy, not the treasury." We have developed the concept of oil for reconstruction, the agreement with China to establish a common ambitious fund for investments, reliance on national agricultural output, facilitating public-private partnership, the improvement of the industrial and service sectors, and the increase of salaries to eliminate the effects of a devalued currency.

Chapter 2:

Sovereignty and the Legislative Powers

The Vision and Experience of Speakers of Parliament 2005-2018

Summary Compiled By

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Contributors

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- Dr. Ayad al-Samarrai
- Mr. Osama al-Nujaifi
- Dr. Salim Al-Jabouri

The views of the Speakers of Parliament and their experiences were showcased in the three previous parliamentary sessions (Dr. Mahmoud Al-Mashhadani 2006-2009, Mr. Ayad Al-Samarrai 2009-2010, Mr. Osama Nujaifi 2010-2014 and Dr. Salim Al-Jubouri 2014-2018), as well as those of the President of the Interim Parliament Assembly, Mr. Hajem Al-Hassani, 2005. Below is a summary of their views.

H.E. Mr. Hajem Al-Hassani

President of the Interim National Assembly, 2005

Regional projects

Mr. Al-Hassani believes that the issue of sovereignty is affected by many factors, the most important of which is the conflict of regional projects; namely those of Iran, Turkey and Israel, as they have explicit strategies for their national security. This is in contrast to the American position - according to his opinion - which comes second in terms of influence, because it is the position of a spectator and is based on an analysis of the positions and strategies of other countries, and then trying to adapt those plans and strategies to serve its own goals. The conflict, by nature is a process of jostling between those strategies, in which victory goes to the fittest in general. The conflict in the region is caused by the discrepancy between those strategies, which is in turn caused by an imbalance of powers, as Iranian influence was present in Iraq and Turkish influence was in Kurdistan.

Al-Hassani focuses on the importance of societal unity, which has been damaged by the conflict of three internal visions that have affected the unity of Iraqi society as a whole. The Shiite vision is based on historical injustice. The Kurdish vision recalls historical grievances and paves the way for the establishment of a Kurdish state independent of Iraq. The Sunni vision grieves power and recalls present injustices, and calls for federalism in order to establish a Sunni State. These contradictory visions among parties to the political process created a vacuum in the Iraqi entity, which was exploited by regional actors, as each party sought a regional or international power for internal protection, and the elections were among the most important reflections of these interventions.

To get out of the instability resulting from the conflict of regional and international projects, Mr. Al-Hassani suggests the establishment of a regional cooperation system that includes the Gulf countries, Iraq, Iran and Turkey, and developing relations with Arab countries such as Syria, Egypt and Jordan. This system would start a strategic dialogue with international

powers such as America, China and the European Union. And in order for that system to function adequately, there must be an internal agreement on a common vision that takes into account sectarian and ethnic diversity in Iraq while preserving the rights of minorities, as well as amending some articles of the Constitution that are incompatible with the establishment of a federal democratic state.

H.E. Dr. Mahmoud Al-Mashhadani
Speaker of the Parliament, 2006-2009

Full Sovereignty Despite Occupation

Dr. Al-Mashhadani bases his notion of sovereignty through the criterion of legitimacy of the formation of authorities in Iraq through elections. He notes that reviewing the experience of the Council must take into account the difficult circumstances at that time, stressing that he made the issue of sovereignty the most important priority for the work of the Parliament through the following points:

- Achieving complete sovereignty despite occupation;
- Building the Parliament's expertise on legislative, supervisory and technical levels; and
- Establishing internal and external strategies.

On this basis, al-Mashhadani believes that although Iraq is an occupied country, full sovereignty was achieved in the parliament of the 2006 government, and that this resulted in the launching of negotiations for the exit of US forces. However, there were actors that attempted to influence sovereignty through internal forces such as some parties calling for the separation of Kurdistan from the Iraqi sovereign state.

Al-Mashhadani also believes that the Parliament, during its mandate, exercised diplomatic competence by enabling foreign ties on the basis of sovereignty and independence and by holding treaties with international and regional states and organizations.

As for the measure of national interests, it is in the organization of Iraq's foreign ties on the basis of sovereignty and respect for internal legislation and regulations, and the country's freedom to govern foreign affairs be it in declaring war or neutrality. As for the measure of balanced regional and international interests, it is reflected by the Charter of the United Nations, which stipulates the principle of equality among nations in sovereignty, in terms of enjoying rights and abiding by duties, which is consistent with the Iraqi case.

H.E. Mr. Ayad al-Samarrai
Speaker of the Parliament, 2009-2010

A system made heterogeneous by political forces

Sovereignty is related to the extent of community cohesion and its sense of a sole national identity. And when the components of the people do not sense this, conflict dominates. Furthermore, and for the sake of mutual influence, political forces seek to increase tension between components. The eyes of those forces shift to external actors for moral, material, and political support at the expense of national sovereignty. Consequently, these forces produced a heterogeneous, consensual political system in the name of individual components, not in the name of Iraq. Foreign agendas found a space for interference, and this interference was reflected through political parties in many decisions such as the formation of the armed forces and the popular mobilization, disrupting al-Faw Great Harbor as well as industry and agriculture, and Turkey's sponsorship of the Nineveh Guard.

With regard to national interests, Al-Samarrai affirms that there are political forces that view national interests as economic interests, others view them from a cultural lens, while the third lot perceives them within the limits of their relationship to the constituent people to which they belong. Therefore, it is not possible to define national interests unless a national identity is defined. In Iraq, the emergence of totalitarian ideological parties tore apart the fabric of Iraqi society, he claims. To overcome this situation, the solution lies in the formation of cross-sectarian parties and alliances similar to the Indian Congress Party, the Malaysian National Party, and the National Liberation Front in Algeria. These alliances are based on popular support and not on external interference, and the necessity for security forces to be loyal to the state. The state must be keen on building balanced relations with regional and international powers in accordance with international legitimacy standards.

Regarding his experience as the Speaker of Parliament, Al-Samarrai confirms that he strived to achieve the following:

- Ensuring that the Constitution is respected;
- Ensuring that Parliament performs its legislative and oversight roles;
- Addressing the ongoing issues in the Constitution, such as oil and gas, and the ties with the regional government; and
- Building balanced ties with the countries that so desire.

H.E. Mr. Osama al-Nujaifi
Speaker of the Parliament 2010-2014

The government violated sovereignty

Mr. Al-Nujaifi, in his perception of sovereignty, focuses on the issue that the Prime Minister, Mr. al-Maliki, did not ensure adequate internal sovereignty. He claims that Mr. al-Maliki did not provide security and civil peace, and opened the door to foreign interference during the fall of Mosul at the hands of ISIS, as the government allowed external parties in the liberation operations. This led to the spread of armed groups linked to external ties above the authority of the state, which violated both external and internal sovereignty. Government policies led to that same result, such as stripping the Parliament of its legislative power and politicizing the judiciary by the largest bloc. Policies also led to the deployment of security forces and use excessive force in dealing with peaceful protests, terrorizing dissidents, expanding the powers of the Prime Minister's Office and creating a shadow state within the government and independent bodies, in violation of the Constitution, which mandates its independence. In addition, this led to aborting the efforts of Parliament to formulate a quadripartite initiative between Iran, Saudi Arabia, Turkey and Iraq to achieve partnership and formulate a joint strategy in the region. All these considerations, according to his opinion, led to failure in achieving a true national partnership.

As for regional and international balances, al-Nujaifi believes that Iran has achieved more success than the US in building political, security and economic ties with allies inside Iraq. Therefore, Iranian influence in Iraq became the strongest, taking advantage of internal schisms in Iraqi politics, especially during the mandate of al-Maliki, who helped align Iraqi foreign policy to Iranian foreign policy. Examples include supporting the Shiite demonstrations in Bahrain, supporting the Syrian regime, sending fighters under the pretext of defending the holy sites, isolating Iraq from its Arab surroundings, as well as in Iraq's voting tendencies in Arab League meetings.

H.E. Dr. Salim al-Jabouri
Speaker of the Parliament, 2014-2018

Sovereignty is national interests

Al-Jabouri believes that the notion of sovereignty has been subjected to the concept of development. Since the end of the Cold War, states have been reducing the importance of achieving traditional foreign policy goals,

and instead paid more attention to economic well-being and wealth distribution. Therefore, achieving national interests is closely associated to government power, and government's power is in turn linked to the political regime and its nature. If a system lacks a responsible leader, the impact will be negative on sovereignty. Similarly, personal and partisan interests extending beyond borders have a negative impact. In Iraq, this is reflected in many areas, such as the conflict on the Oil and Gas Law, the water issue with Iran, the conflict around the referendum for regional separation, the conflict with Turkey on the Labor Party matter, the joint oil wells with the UAE, the strategic agreement with the United States, the Popular Mobilization Forces, armed groups that do not abide by orders of the state, and the expansion of weapons outside Iraq within the frame of the axes of neighboring countries. All these matters have affected national sovereignty.

What are the criteria for national interests? They are:

- Improving Iraq's image abroad by gaining friends, allies, and partners.
- The country's economic recovery by expanding foreign trade and investment.
- Preserving the value of the national currency against foreign currencies.
- Formulating policies designed to defend the country's borders.
- Supporting and strengthening the reputation of the political and economic system abroad.

Al-Jabouri suggests a set of mechanisms to achieve national interests, which will ultimately lead to achieving national sovereignty. Internally, societal reconciliation must be achieved, as well as fighting corruption, and creating legislation that upholds societal harmony. On the external level, it seems that mechanisms expand to form all that is customary and stipulated in the rules of diplomatic protocols and agreements in negotiations, mediation and arbitration, summoning ambassadors, or imposing economic and financial sanctions and measures such as those imposed by the US on Iran.

Chapter 3:
Sovereignty and Iraqi Elite - Politicians,
Thinkers, Researchers and Academics

Module 1: Sovereignty and the Current Political System

Section One

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Sovereign instability in the Iraqi landscape

Does the nature of the current political system positively or adversely impact sovereignty? The scenario in the Iraqi landscape and its historical accumulations require objectivity in judging and reading its modern political consciousness. It is not possible to judge the current political model in comparison with political systems in stable countries. Thus, the political elite's comments sometimes revolved around what should have been done in theory, and some readings tackle happenings to the extent of losing objectivity and steer towards the identity considerations of constituents.

One of the comments considers that the Iraqi Constitution ratified in 2005 is a good constitution, and that the same model is adopted in other countries. That is in fact the perception of the Kurdish parties who uphold the Constitution in its current form, meaning that Iraq is a federal state, which provided it with a wide area in decentralization. But there is also a perception that the crisis was embodied by the fact that the constitution was not enacted or implemented by factors that may be external, under the pretext of conspiring to thwart democracy, which contributed to the instability of Iraq today. Sometimes these factors include internal shortcomings, referring to prime ministers, and failure to activate constitutional articles. This is what robbed Iraq of sovereignty, both internally and externally... (The constituent people's standpoint was present in this comment and it was not mentioned in any way by the Kurdish political actors that we believe have contributed to the breach of the principle of sovereignty. It did not deal transparently with the Central Government on wealth distribution and border crossings, as well as dealing somewhat with a lack of clarity with the authority of the Central Government in judiciary matters, as some of those wanted by the judiciary in Baghdad sought refuge in Erbil and were not handed over, which remains a puzzling matter).

Another comment is that the political actors affected constituents, shifting them from society to fundamental components of the state. These components were supposed to respect the title of citizenship, not the powers of constituents that later contributed to the formation of "the state of powers," not "the power of the state."

Based on which, we believe that it is a normal penalty for the lack of transparency in political exercise, as Iraqi society falls under the domination of political icons. Under the pretext of defending rights in the name of democracy, these icons strive to claim the rights of ethnic and sectarian constituents, and we have an example of this in the elections and means of regional and constituency propaganda. This is the logic of neutrality, which is a realistic logic that says that Iraq, in its diversity, must be viewed

according to imposed, rather than claimed, considerations. Accordingly, we believe that it is imperative to tackle the existing political system on the basis of transparency and the nature of the challenges that afflicted all parties, and such occurrences must be fostered by elites and people according to the constitutional mechanisms. We must not demonize political actors as they are a true pillar in the Iraqi landscape.

Another comment admitted that the opposition came forth with the mentality of an opposition framed religiously and nationally, which reflected negatively on the sectarian and ethnic nature of the government, with some accusing others of supporting foreign agendas. All of this resulted in an inadequate and stagnating Constitution. This comment unveils the vision of the Sunnis of Iraq regarding the Constitution and the political system after 2003. This approach actually reveals the vision of a basic constituent in Iraq, which is the Sunni component that rejects democracy in general and tends toward consensual democracy. This constituency does not accept the control of the majority, and this is an important factor in the failure to apply the principle of centralized sovereignty. We do not believe in the objectivity of this comment, as it is a monolithic and sectarian one, and does not uphold the principle of citizenship which supersedes all sub-identities.

The rest of the comments confirmed the failure of the system due to political quotas, which later reflected on the fragmentation of the political decision with its ideological backgrounds. This weakened sovereignty and created a quasi-failed state. In fact, we are a failed state but not by our will. Rather, it was intended for us to fail by difficult challenges, where international actors have largely contributed to thwarting sovereignty, which we believe is clear to all.

In the context of clear and effective solutions, do we need to change the constitution on which we find a lot of these comments? Or do we need a comprehensive national dialogue that accommodates all elites, forces and organizations with different academic, cultural and legal addresses, targeting the principle of cross-sectarian and ethnic citizenship on the basis of equality, equity, participation and social justice?

Here, we return to previous periods that see the need to amend the Constitution, which is difficult to achieve because the parliamentary elites for years have not been able to review it let alone amend it. On the other hand, have the calls of national reconciliation with the waste of the money allocated to them achieved their goals? The answer is no.

While we are convinced of accepting reality as it is, geopolitics are fixed and there is no room for change, as diversity and pluralism have become entrenched in society and it is difficult to codify them or change their

trends. The Iraqi street is ideological and even partisan, and therefore we see the need to work and theorize with what is available and what is concrete, not what is desired. And the culture of the public requires understanding, rather than to drift along with it. All that is needed is openness and disclosure, achieving transparency and accepting each other in accordance with the principle of pragmatism in order benefit all of Iraq, and consolidate sovereignty as a neutral result. It is imperative to work on intensifying transparency between the political parties, as the challenges outweigh all Arabs, Kurds and minorities.

Therefore, all bets are on the awareness of the leaders of the country and the people to uphold transparency and openness, even if not with self-conviction, as the nature of the outcomes does not please everyone.

Section Two

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With regard to the Iraqi political system after 2003, the Iraqi state can be described as a state lacking in sovereignty. This failure can be illustrated as follows:

- The intransigence of a large and important part of the geographical region that may contribute in one way or another to the central financing process and in drawing up and implementing the general policy. This is especially if this region contains a lot of natural resources, such as oil or natural gas and other important resources that contribute to supplementing the public budget.
- The inability of the institutions of the political system to impose or subordinate secondary groups to the law, whether these are forces, political parties, religious institutions, or tribal groups, and to work on the necessity of respecting it.
- The growing power of secondary groups at the expense of the strength of the political system and its institutions, meaning the emergence of those forces as parallel forces for the state. Thus, the meaning of sovereignty does not exist, due to the multiplicity of these forces and the lack of hierarchy in the political structure within the state.
- Weakness of the institutions of the political system in holding those outlaws or transgressors accountable. There is also a failure in holding the corrupt accountable, as well as those who provide them with protection be they political or social powers.
- The inability of governmental institutions to adopt a set of governmental measures and development decisions, because they do not possess the national will and take into account foreign interests at the expense of national interests.
- External interference in internal affairs by imposing international or regional wills above that of the state in political, economic, developmental and social contexts, and even in international positions and ties.

The reasons for these failures can be explained through two main factors:

The Legal Factor & The Constitutional Factor

Despite some advantages in the basic legal system of the Iraqi state after 2005, it worked to dismantle sovereignty by creating other power centers that have authority and competences that are stronger and broader than those of federal government institutions. Constitutional texts granted separate sovereignty to the parties at the expense of Central state sovereignty.

The Iraqi constitution adopted three types of administrative systems of government; first, political decentralization (the regional system) stipulated in Articles 116-121; second, administrative decentralization system (the governorate system) that was not organized in a region, which was stipulated in Articles 122-123; and third, the system of local administrations stipulated in Article 125. This third system was practically embodied in the Iraqi political order through the regions that expressed political decentralization (federalism) and governorates that are not organized in a region, which expressed administrative decentralization. Rather, the Iraqi legislator went further by placing the powers not mentioned in the constitution within the exclusive powers of the federal authorities from the authority of the regions and governorates that are not organized in a region. As for the joint powers between the federal government and the regions, priority is given to the law of the regions and governorates that are not organized in a region, in case a dispute arises between them, as stated in Article 115. This is in addition to the region's authority to amend the implementation of federal law in the region in the event of a contradiction or inconsistency between the two laws, as stated in Articles 121-122. Thus, political decentralization in Iraq can be described as conflicting federalism rather than cooperative federalism, as is the case in federal political systems.

The Political Factors

The political forces expressed the adoption of the principle of consensus in the administration of the state. The political elite in Iraq strived to adopt consensus in governance, negatively impacting sovereignty in one way or another, including:

The Political Quota System

The political quota system is represented by the division of political power centers between the political blocs that represent the diversity and multiplicity of Iraq's social makeup. The consensus system was able to establish a conviction among all political forces that the quota policy represents a quantitative entitlement to those sub-groups on the one hand, and a national entitlement to the oppressed social components in the era of the previous regime on the other hand.

Weak Integration of the Political System

Integration is closely related to the capabilities of the system, especially in its organizational extractive and distributive capacities. Integration refers to the state's ability to extend its control over geographical regions of the

state, and over the classes, components and groups that make up its society. The central government should be able to implement its laws and general policy within various parts of its territory, provided that the government is able to use the tools of material coercion, whenever it deems that such use is necessary to enforce its laws and policies. By virtue of the principle of consensus, the federal government is no longer able to implement its policies, and thus it has lost the implementation of the means of coercion or persuasion in important parts and facilities in the state's territory.

Absence of Political Opposition

There is an absence of political opposition in the sense that consensual democracy allows political forces representing social components or sub-groups constituting society to participate in governance, at the level of the executive and legislative branches, and makes the principle of accountability subject to political consensus between political forces and parties. Moreover, the lack of oversight will lead to ineffectiveness of the political system, and thus the practices of breaching sovereignty locally and continuously increase.

The Division of Iraqi Society

Consensual democracy in Iraq was not seen by the ruling elites as a mechanism or a means to avoid and resolve conflicts, achieve stability and improve institutional performance, which in turn contributes to building a modern state. Rather, they considered it a final and static goal, and instead of using the means to maintain political stability, democracy was used for the purpose of perpetuating the status quo and clinging to power. Here, consensus consecrates the notion of sectarianism and constituent differentiation instead of harmony and peaceful coexistence between constituents and achieving social and political stability. This is linked to failure in diversity management policies at the hands of the political elite. This pushed the Iraqi people to tackle political goals, which has transformed political rivalry into identity conflicts, which in turn pushed constituents to resort to foreign powers for backing politically, economically, and in other means of influence.

Thus, both factors contributed directly to the negative impact on the sovereignty of the state, and if the state of Iraq is to outgrow regression in sovereignty, the following must be done:

- Boosting the economic situation and improving the quality of life for Iraqi citizens through services and facilities provided by federal

government institutions that allow Iraqi society to rise with it, which will lead to loyalty solely to the state.

- Evaluating the previous political experience by reviewing the governance of state institutions and establishing new settlements and arrangements in line with the current situation under the banners of guarantees of national sovereignty or national unity.
- Amending the constitution in accordance to the unity and sovereignty of Iraq.
- Adopting standards of national interest in foreign policy and establishing balanced relations based on economic considerations and mutual interests.

Conclusion

The legal basis of the political system, and the nature of state administration by political elites, have negatively affected sovereignty.

Module 2: Sovereignty and External Factors

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Iraqi Sovereignty and National Interests: Between Accumulations of the Past and Lack of Clarity for the Present and the Future

For many different reasons, the Iraqi opposition was not in a good and coherent position before 2003. Its visions were not unified regarding the future structure of the state and the mechanisms to overthrow the former regime. Indeed, it can be said that the opposition factions did not have a plan or mechanism to fill the political, security and administrative vacuum in the event of the fall of the regime. It seems that the journey of alienation and exile for more than two decades has generated a state of frustration among many to the point that the fall of the regime or its overthrow is not effectively a priority for many opposition factions, although it remains the subject of theories in the media. And even many of them became supportive of the idea of overthrowing the regime by an external international effort while being indifferent to the violation of Iraqi sovereignty, perhaps because they believed that the sovereignty of Iraq was already violated due to the regime's aggressive policies and its absurd wars that already desecrated its sovereignty and national image.

But the overthrow of the regime, which was like a long-awaited dream, was faint, and mixed with a military invasion. This was shockingly transformed into an official invasion after a month, by a resolution of the UN Security Council bearing the number 1438 on 5/22/2003, and at the request of the British and Americans. This broke what remained of Iraqi sovereignty formally and permanently. The Iraqi opposition, which had long dreamed of bringing down the regime with its own capabilities, and establish a national alternative, found itself facing a difficult change that was not without grave challenges. Additionally, in a country under foreign occupation, the power that dominated it, the United States, soon began to antagonize neighboring countries, and threaten that they would be next in the transition after Saddam Hussein's regime. The US opened the door to the interventions of neighboring and regional countries to thwart the new Iraqi experience to protect itself, including America's allies in the region, which could not hide their concern about the winds of democratic change. This is especially after the United States declared that Iraq will be the democratic model for the New Middle East.

Just as the opposition forces and figures before the fall of the regime were not in agreement in terms of position and vision, or in alliances and loyalties, so were they diverging when they took power in an occupied country without sovereignty. The experience and policies of the six governments with their five heads (Nuri al-Maliki led two governments) have revealed the lack of a long-term strategic vision for the nation. In fact, it reflected that they did not even have one sole or united understanding of

the concept of sovereignty or national interest, in which different governments can follow and complement each other. The answers of the previous heads of government revealed a stark difference in the understanding of sovereignty, and the methods of preserving and protecting it, despite everyone's conviction that Iraq after the change in 2003 was exhausted and lacking in sovereignty, and it is just emerging from an authoritarian regime and a harsh economic blockade. It needs an international and regional effort to protect its national sovereignty and preservation, especially with the many challenges the new Iraq faced.

Even the point of embarking on rebuilding the new state and strengthening its national sovereignty was a source of divergence. The answers provided by the heads of government varied between those who support launching efforts from abroad through international and regional alliances to strengthen the weak and economically exhausted interior, as Dr. Ayad Allawi suggested, and those who see Iraq as a power polarizing center for other countries to move towards, rather than for Iraq to move in foreign directions, as Dr. Ibrahim al-Jaafari suggested. This is coupled with the awareness that nothing is granted without a price, and that Iraq is expected to make concessions that ultimately affect its sovereignty in order to receive support, as Dr. Adel Abdul Mahdi indicated.

The jurisprudence of the prime ministers, in light of the broad powers granted to them by the Constitution, including the General Command of the Armed Forces, played a major role in determining the country's policy and its international and regional alliances. This had a tremendous influence on sovereignty, whether negatively or positively, in light of the different interpretations of national interest. Although there is consensus on the necessity and inevitability of building balanced international foreign ties that guarantee the interests of Iraq and take into account international and regional balances, practical experience has shown a discrepancy in the ratifications of the alliances.

This raises the question: where do our interests lie and with whom do we build alliances? When Ayad Allawi spoke of his suggestion to replace the international coalition forces led by the US with Arab and Muslim actors, Ibrahim al-Jaafari made explicit criticism of those countries because they did not support Iraq after the change despite the damage it had suffered as a result of the regime's policies. He also noted that Iraq's foreign policies were vacillating and did not enjoy a strategic vision nor clear trends, noting that the Arab countries, and even the Arab League, have generally held a negative position regarding Iraq since 2003.

One of the sensitive issues that have faced successive Iraqi govern-

ments since 2003, which are closely related to the country's sovereignty and independence, is how to balance between American presence and overt Iranian influence in Iraq, where the two countries are exercise confrontation with one another on Iraqi soil. The difficult and sensitive balance was somewhat clear in the first four governments in one way or another, and when the fifth government headed by Haidar al-Abadi tried to approach the American axis at the expense of Iran, its relationship with the Islamic Republic and its allies in Iraq was disrupted. On the other hand, Adel Abdul Mahdi's approach to the Iranian-Chinese axis led to his boycott by the American administration, which encouraged a coup against his government before completing its constitutional term. Abdul Mahdi admitted this when he indicated that his government tried to deal with sovereignty with all seriousness, and perhaps this is what brought it down, as he put it.

The mechanisms of state administration after the year 2003 were also the object of disagreement in the interpretations of the prime ministers, despite the fact that all ultimately participated in consolidating sectarian and constituent power-sharing. Dr. Ayad Allawi said that he rejects quotas, denying the existence of quotas in his government. However, under his government, the first following the restoration of sovereignty, laid the groundwork for the quota system in Iraq post-2003. Nouri al-Maliki considered that the assimilation of societal pluralism in the hierarchy of the system and the representation of components in power strengthens sovereignty. On the other hand, Dr. Haidar al-Abadi criticized al-Maliki and his closest associates before he departed from consensual democracy, considering that the consensual system contributes to the fragmentation of the State's political exercise.

Tensions and disagreements prevailed within the political process in the new Iraq. Neither did the actors of the former opposition to Saddam Hussein's regime, mainly Shiite and Kurdish, overlook the accumulations of the oppressive and dictatorial past of the previous regime, which relied heavily on the Sunni base for support, and improved the management of community diversity in Iraq. Nor did the Sunni constituents succeed in breaking away from the previous regime in a manner that paves the way for the acceptance of the new reality and the achievement of societal integration. Thus, de-Baathification became an insurmountable obstacle in the political process, because it was considered to be aimed at excluding Sunnis and marginalizing their role, even though the Shiites and Kurds who were uprooted outnumbered the Sunnis. All of these matters were outlets for breaching Iraqi sovereignty, and opened doors for external interference under the pretext of defending such or such constituent.

There is no doubt that the third great revolution, the information revolu-

tion, has reshaped much of the world and many of the old constants within it, including the concept of sovereignty. The unstoppable cross-border information, communication and digital revolution represents a clear breach of the modern state's sovereignty, and globalization, unipolarity, and the US monopoly on world leadership produced new policies that justify interference in the affairs of other countries, and even overthrowing political regimes for humanitarian reasons and to defend human rights where they are violated. Military intervention for humanitarian purposes was one of the justifications for the US intervention in Iraq and toppling Saddam Hussein's regime in April 2003, the overthrow of the regime completely hit Iraqi sovereignty. The issue of restoring it in its relative form, which has become the advantage of sovereignty in the time of globalization and the information revolution, needs time and many preliminary steps. But the consensual structure of power in Iraq, and the way of making deals when forming each government, or upon voting on important decisions, led to the weakness of the Iraqi state, so that it is no longer able to preserve the country's borders and its sovereignty.

On the other hand, some decisions that seem sovereign at first glance may be a prelude to a major violation of sovereignty at a later time, unless those decisions are truly accurate and deliberate. This is the case for the withdrawal of US forces from Iraq at the end of 2011, two years after which a third of Iraqi lands fell under the control of ISIS in a serious challenge to the Iraqi state, which forced it to call for the return of the coalition forces to the country, at a high price.

The most prominent challenges that the six governments failed to overcome are:

- The lack of a clear and deliberate national strategy to be adopted by the successive Iraqi governments, and the tyranny of personal jurisprudence over the work of governments.
- The lack of a national or societal consensus on basic matters, including sovereignty and national interests.
- Weak culture and national loyalty among Iraqi citizens, due to the accumulations of the past and the absence of achievements that give legitimacy to the government.
- The existence of influential political, tribal, religious, sectarian and constituent movements that influence Iraqi public opinion, and that compete with and sometimes override the state's authority.
- The tyranny of factional positions on Iraqi public opinion, which are fueled by political conflicts and external pressures, and on the security, economic and media levels.

- The ongoing repressive quota system, which constitutes a gateway to external interventions.
- The lack of a roadmap to reform the country's economic conditions in a way that reduces its need for foreign support and assistance, and the consequent price that Iraq must pay from its sovereignty and the independence of its decision-making.
- The continuous threat of terrorist groups, namely ISIS, to Iraqi sovereignty and national security.
- The inadequacy of strategies to strengthen the Iraqi military and security systems capable of defending the homeland without external dictations.
- The weak position of Iraq at the international and regional levels, and the instability in Iraqi foreign policy.
- Not limiting Iraqi foreign policy and its relationship with the countries of the world to the Ministry of Foreign Affairs, and the establishment of local political and societal parties with external ties on behalf of Iraq.
- Weak control of Iraq's borders and its external outlets.
- The continued existence of international decisions that restrain Iraq, many of which were imposed during the previous regime.
- The tyranny of factional and partisan interests over supreme national interests.
- Widespread corruption in the ruling political class, making it vulnerable to other countries and susceptible to blackmail.
- The ongoing differences between the Central Government and the Kurdistan Region negatively affecting Iraqi sovereignty.
- Wrongful use of the media and social networking sites opening doors to the breaching of Iraqi sovereignty and threatening societal security.
- Imbalance in the relationship with regional and international environments, and the sharp polarization between the axes of America and Iran in particular.
- Failure to implement a law concerning parties, which opens the doors to an influx of political funding from abroad to serve the agendas of the financing countries at the expense of national security and Iraqi sovereignty.
- The ongoing dispute over the Constitution, which represents the backbone of the political system.
- Failure to pass many basic laws, including the oil and gas law,

which leads to the waste of national resources.

- The severe crisis of trust between the ruling class and citizens, which was reflected in widespread and continuous popular demonstrations.
- The ongoing Turkish military attacks on Iraqi lands under the pretext of chasing the Turkish Kurdish Workers Party.

Unless these challenges are overcome, Iraq will continue to suffer from its weakness which pushes it to seek the help of others, and will remain vulnerable to a violation of its sovereignty in one way or another, in a world in which the balance of power and the rules of the political game have changed greatly.

Module 3: Sovereignty and the National Interests

Section 1

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There are many variables that have pushed Iraq to turn into a state that regional and international powers compete with. The Iraqi political decision, which represents the sovereign basis of the state, passes through many official and unofficial channels that sometimes do not take into account the higher interests of the Iraqi state, and perhaps there are many reasons that led to this. The most important of them are: the lack of an inclusive national culture, the weak influence of identity and belonging, as well as the absence of a strategic goal for the state and its lack of awareness of the strategic environment variables (regional and international), which affected the complementary relationship between national interest and the state's sovereignty. We believe this is due to differences and divisions among unofficial actors (political parties) in defining Iraq's supreme interest.

As sub-identities with their various sectarian and national names emerged rose, these identities began to differ politically. In a way, populism was used to consolidate this disagreement socially, to draw the national interest of the state from its ideological grounds, whether it was sectarian or constituent. We find divergence in the perceptions of the actors on the political scene after 2003, towards the national interest. Perceptions of the Shiite political forces believe that the national interest of the state lies in pursuing the policy of regional axes from ideological and sectarian grounds. That of the Sunni political actor finds that Iraq's interest lies in its sectarian alliances with its regional neighbors, whether it is Turkey or the Arab Gulf states, and policies of regional and international balances. Perceptions of the Kurdish political actor focus mainly on Kurdish interest, and always proceed from the idea of guaranteeing the rights of the Kurds, including the separation of the Kurdistan region.

In addition to this, opinions diverge and somewhat intersect regarding the relationship with the US and American military presence in Iraq between those who reject the American presence and those who support it. We believe that the reason for this is the general agreement on the description of the relationship with the US and its role in Iraq after 2003. This discrepancy was evident in the comments made by the distinguished professors on the national interest and its relationship to Iraqi sovereignty.

Mr. Arshad Al-Salihi focused on a fundamental issue that contributes to preserving sovereignty, as he referred to the necessity of economic sufficiency for the state, sovereignty's link to economic considerations, and the necessity of economic self-sufficiency instead of receiving economic aid that is often at the expense of national sovereignty. He pointed out the need for cohesion in the Iraqi community as a pillar for sovereignty.

Whereas Dr. Raed Saleh Ali focused on the academic dimension of in-

tegration between national interest and the state's sovereignty by reviewing political and legal science literature that addressed the issue of sovereignty and the mechanisms for achieving it.

As for Dr. Adel Abdel-Hamza, he analyzed the problem of sovereignty and its relationship with the national interest in three parts: Sovereignty, identity and borders. He believes that the interests of sub-identities have become greater than Iraqi national interests, and cited the events of 2014 and how they almost destroyed the existence of the state, as well as the challenges facing the Iraqi state and its supreme interests. He also believes that the solution lies in the consolidation of national identity which upholds the Iraqi nation.

Dr. Ali Al-Adeeb's paper covers all the challenges facing Iraqi sovereignty. He referred to constituent expansion in its regional dimension and several of the most prominent challenges that detract from Iraqi sovereignty through visits by party leaders to neighboring countries and to raise internal issues and problems that lie at the core of the work of the Iraqi state and its institutions. On the effectiveness of embassies and their relations with political blocs and social actors, Mr. Al-Adeeb focused on the educational dimension (political upbringing) and Iraq's lack of an inclusive educational philosophy that contributes to building an Iraqi sense of citizenship. Moreover, the writer did not neglect the military and security dimension and called for the necessity of establishing regional alliances of sorts between Iraq and the countries of the region.

As for Dr. Naeem Al-Aboudi, he linked the challenge of achieving sovereignty with the American military presence and called for the implementation of the parliamentary decision to end the presence of foreign forces in Iraq. Most of what Dr. Al-Aboudi suggests is related to military and security affairs. In addition to that he referred to the need to legislate the oil and gas law and review contracts for oil licensing rounds.

Moreover, Dr. Yusuf Muhammad Sadiq believes that Iraq should adopt a strategy which he called the "beating heart strategy" - utilizing Iraq's geographical location and making its lands a bridge linking the East with the West and the Arabian Gulf with the Mediterranean.

Section 2

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- Dr. Diao Al-Asadi
Former MP and minister, former head of the Al-Ahrar bloc
- Dr. Qassem Dawood
Former MP and Minister
- Dr. Muhammad Al-Waeli
- Dr. Muhannad Salloum
Doha Institute for Higher Studies

Researcher Dr. Muhannad Salloum tackles two dimensions of sovereignty: internal and external. Internal sovereignty is the state's authority over its society, and external sovereignty is the state's authority over its fate and affairs. He suggests that contemporary concepts have modified the idea of sovereignty so that the state is in the service of the people and its welfare (not the other way around, as it was previously, i.e. the people in the service of the state). The researcher proceeds from this angle to comment on the words of prime ministers as follows:

- Mr. Ayad Allawi and Mr. Ibrahim al-Jaafari focused on the internal concept of sovereignty, and considered that the sovereignty of Iraq was deficient because the Iraqi state did not achieve internal national interests represented in achieving the economic well-being of the people (Allawi) or the security well-being (al-Jaafari).
- Mr. Nouri al-Maliki and Mr. Haider al-Abadi drew a balanced relationship between sovereignty and the achievement of national interests. They do not consider Iraq as lacking sovereignty if it relinquishes part of it to achieve national interest.
- Mr. Adel Abdul-Mahdi gave the concept of sovereignty a historical dimension and concluded that sovereignty in Iraq is unclear due to accumulations. In the internal concept of sovereignty, he gave a contradictory interpretation by comparing the current right of Iraq to use force to prevent external and internal threats to the state, considering that this action does not detract from the sovereignty of Iraq. It was also considered that the same act that the previous regime did and for the same goals detracted from the sovereignty of Iraq.
- The researcher notes that the prime ministers neglected to discuss the impact of the federal system and its complexities and the sovereignty of the people in defining national interests and their impact on sovereignty.

As for researcher Dr. Anwar Al-Haidari, he believes that the prime ministers unanimously agreed on the violation of Iraqi sovereignty through the failure to achieve the economic and military well-being of the people, the lack of clarity of the concept of national interest and the existence of historical accumulations that prevent a clear concept of sovereignty in Iraq. The researcher identified several conditions for organizing the relationship between national interest and sovereignty: defining concepts, agreeing on the constants of national interest, adhering to international sovereignty standards, and focusing on building the elements of power for the people and the state.

Researcher Dr. Daa Al-Asadi converged with researcher Dr. Anwar Al-Haidari in much of what he wrote, where he said that sovereignty cannot be achieved without a notion of national interest that the people adopt, and governments work to implement.

As for researcher Dr. Muhammad Al-Waeli, he believes that Dr. Allawi and Dr. Al-Jaafari share their view of the internal unity that gives strength to the concept of sovereignty. While Mr. Maliki and Mr. Abadi proceed from the external factor to give strength to the concept of sovereignty during their rule. While Abd al-Mahdi's period was characterized by the overlap between internal and external factors, neither of them had superiority over the other.

In summary, the researcher believes: Achieving a balance between internal and external interests is affected by the circumstances of the time in which every prime minister ruled. The focus of all prime ministers was on the absence of internal support to achieve balance and sovereignty. The lack of a single Iraqi vision for the balance of external interests, which contributes to the emergence of a clearer concept for sovereignty. Successive prime ministers have made no effort to develop Iraq's internal capabilities to act as a counterweight to external interests.

As for Dr. Qassem Daoud, he maintains that Iraqi sovereignty in all stages of the prime minister's rule was incomplete, but he differs in the reasons. While he attributed the lack of sovereignty during the rule of Allawi and Jaafari to internal reasons, he notes that during the rule of Maliki, Abadi and Abdul-Mahdi, the reasons for diminishing sovereignty have become external, most notably foreign interference in Iraqi decision-making.

Dr. Saad Al-Hadithi touched on the same concepts that the researchers Anwar Al-Haidari and Daa Al-Asadi dealt with about sovereignty and national interest, nothing that the absence of a unified internal vision of the national interest affects the concept of sovereignty. The researcher expanded on the relationship between sovereignty and the national interest, and the most prominent of his suggestions is that everything that preserves and strengthens sovereignty is a national interest. In return everything that implies urgency, even if it constitutes a transgression of a dimension of sovereignty, strengthens and establishes the other dimensions of sovereignty and ensures its preservation.

A summary of the comments on this topic can be presented as follows:

1. The absence of a unified internal vision around the concept of national interest hinders the efforts of decision makers in dealing with the concept of sovereignty.

2. There are many reasons for the lack of agreement on a clear concept of national interest. Most of them said that the state fails to create the appropriate environment and the right tools to agree on a clear concept of national interest.
3. Achieving the national interest justifies the diminution of sovereignty and does not adversely affect it.
4. There is no supremacy of sovereignty over the national interest. Achieving the welfare of the people and the state (the national interest) is more important than the full realization of the concept of sovereignty.
5. The need for a deep study and investigation of the factors and elements that lead to diminishing sovereignty and not achieving the national interest.

Module 4: Sovereignty and Balance of the Interests

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- Sheikh Adnan Faihan
Head of the Sadikoun Parliamentary Bloc
- Professor Fadel Karim (Mamosta Jafar)
Kurdish Politician & Author
- Mr. Muhammad Shiaa al-Sudani
MP & Former Minister

A Summary of the Comments of the Distinguished Gentlemen on the Fourth Module

Commentary by Sheikh Jamal Al Dhari

- In his comments, he manifested the ideological tendencies that he believed in. This does not mean that his comments are devoid of realism. Therefore, he believes that most of the answers of the concerned gentlemen were a theory far from political realism.
- His analysis of the answers of Mr. Ayad Allawi and Ibrahim al-Jaafari was very realistic. As for his commentary on Mr. Nuri al-Maliki's answer, he gave his view of what happened then and does not give an evaluation of what was mentioned in the answer.
- As for his response to Mr. Adel Abdul Mahdi's answer, he suggests that intellectual theorizing dominated the nature of his answer. Then he demonstrates the point of view of his political project and I think that this matter is outside the framework of what is requested.

Commentary by Dr. Harith Al-Hassan

- Dr. Harith Al-Hassan gave an introduction to the methodological framework to approach concepts of sovereignty and balance, and focused on sovereignty in its internal considerations (internal sovereignty), which means monopolizing legitimate violence that leads to the control of authorities over law enforcement. But he neglected the thesis of "people's governance" that represents the true credibility of internal sovereignty. This methodological framework is broad talk that tends more towards political thought than on the systemic political considerations.
- In his response to the answers of the heads of government, he distinguished two periods. The first is during the American occupation and the presence of its forces on Iraqi lands, during which it was not possible to set a standard or measure of sovereignty in Iraq, especially since the rivals of the "region" in Iraq (Iran-America) were not at the peak of their rivalry during the term of former US President Barack Obama.
- Nor were they at the peak of their rivalry during the challenges resulting from ISIS's control over large areas of the country. Thus, the "balance" argument was not necessary at that stage, therefore posing a challenge to decision-makers in order to achieve it.
- The analysis made by Dr. Harith Hassan in his comment on Mr. Nouri Al-Maliki's response in his second session, suggests that the

latter tried to approach the Iranian side without paying attention to the difficulty of achieving a perceptive balance of interests in view of the concept of sovereignty.

Commentary by Professor Dr. Abbas Abboud

- Prof. Dr. Abbas Abboud presents the theoretical and methodological framework of the concept of sovereignty from the dimension of international laws and their contributions to its conception, provided by a number of links and proofs for his case. Furthermore, he offers deep and analytical insight into constitutional law in order to understand sovereignty in its constitutional framework rather than its political or systemic angles.
- The in-depth methodological framework presented by Dr. Abbas Abboud is indispensable in order to understand interaction with sovereignty within the framework of the private interests of the state at hand or within the framework of common interests between states, and it defines a set of procedures and decisions within its international legal framework. However, the doctor neglected the basic requirement intended from this paper, which is assessing the answers of gentlemen and former prime ministers provided regarding the fourth module of this broad study.

Commentary by Professor Adnan Ajil Obaid

- Dr. Adnan Ajil reviews a set of four problems that he deems necessary to tackle regional interests and the emergence of the notion of sovereignty, and provides a theoretical framework from a legal angle. He speaks about the absence of an objective concept of sovereignty in constitutional law and reviews what the Iraqi constitution indicated in this regard.
- The problem of merging national interest with regional interests is not related to the core of the subject of this paper, and the presentation of this problem is an offshoot of the part to be highlighted and analyzed.
- Dr. Adnan Ajil presents a realistic narrative through the fourth problem, "Sovereignty Scattered by Political Agreements" through the impact of political agreements on sovereignty. He supports the thesis with a constitutional legal vision that perfectly targeted the goal of the project "The Iraqi Sovereignty Crisis". We wish that he had expanded on that point as it tackles the matter with much political realism.
- Within the framework of the fourth problem suggested by Dr. Adnan

Ajil, he finds that all the answers of the former leaders are not without bias, especially since all of their answers were around their own achievements, which are not necessarily in the framework of what is required for political realism. But it is logical for the heads of previous governments to see their actions as achievements regardless of whether or not we agree on this point.

- Dr. Adnan Ajil did not provide a direct commentary on the responses given in a systematic academic manner, perhaps because he found them not worthy of comment and academic research. Therefore, he presented his methodical academic vision for this and made his third point which we wished he had expanded on.

Comment by MP Adnan Faihan, head of the Sadikoun bloc

- Mr. Adnan Faihan spoke of the shape of the political system and the extent of its impact on the internal stability of countries and their constituents, then quickly and simply reviewed the concept of sovereignty and its manifestations. He spoke about his view on the obstacles to internal sovereignty of the Iraqi state and defined a number of obstacles. Then he presented a proposal in a short form for the exercise of sovereignty geographically even though the concept of sovereignty surpasses geographical aspects.
- Mr. Adnan Faihan made no mention of the answers of the previous heads of government, nor did he comment on their answers.

Comments by the Kurdish writer and politician Fadel Karim (Mamosta Jafar)

- Mr. Fadel Karim spoke briefly about the concept of sovereignty and its manifestations internally and externally, while focusing on internal sovereignty and the inability of the official authorities to implement their sovereignty internally. He presented his view on the situation in Iraq without supporting his views in a systematic or academic manner, as well as exceeding what was required in evaluating the answers of former heads of government on the fourth module.

Comments by Author Mohammed Shayaa Al Sudani

- Mr. Mohamed Shayaa Al-Sudani quickly touched on the issue of sovereignty in a general framework, and did not answer what was stated in the paper regarding his evaluation of the previous leaders' answers on the fourth module.

Module 5: Sovereignty and Post-2003 Governments

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Sovereignty in the eyes of post-change governments in Iraq: A crisis from the past... A present disaster... A foggy future.

A close reading of the comments on the topic makes it difficult for a researcher at times to sort common points and highlight divergences between them due to the overlapping of their contexts, convergence, and jostling. But this does not prevent a final outcome that highlights commonalities and shows the intersections that were noted in how post-2003 Iraqi governments dealt with the sovereignty crisis.

Common Ground

The concept of sovereignty and its historical development from “Bodin’s theory of sovereignty” to the sovereignty under “absolute globalization” and the transformations that ensued have formed a common denominator between the gentlemen who provided their comments. There were no differences around the concept of sovereignty and its connotations despite the ambiguity surrounding the notion with its multiple characteristics and previous conditions to the point that pushed Bertrand Badie to consider it “an illusion” in the fullest sense of the word. This is in light of the spread of globalization that has made interdependence prevalent in the global system, and trade between countries and multinational companies that are steadily increasing. This is in addition to the many international institutions - the International Monetary Fund, the World Bank, the World Trade Organization - and the volume of financial flows, communications and informatics, and migrants, all of which are no longer subject to the principle of sovereignty.

Crude international interventions under the pretext of humanitarian intervention in the contexts of civil wars, combating terrorism, protecting human rights, protecting democracy, or defending the rights of minorities cannot be overlooked, as they are serious and realistic threats to the principle of sovereignty.

The commentators agree on another common point, as the presence of foreign forces on Iraqi lands constituted a great challenge for successive Iraqi governments. Solutions to it varied between the necessity of the evacuation of foreign forces from Iraqi territory and the determination of the rules of engagement with them through clear-term treaties with specific interests. In addition, there is the need to define the relationship with the US under two angles: The first, as a dominant power outside of which no strategic partnerships should be formed, either directly or through international alliances; and the second sees that the shape of the international system has changed and the rules of the game in it have shifted from one domi-

nant pole to multiple poles with the rise of Russia, China, India and the European Union, and then adopting the principle of maintaining old friendships and not hesitating to build new relationships.

In addition, there is another cross-cutting commonality whose importance cannot be overlooked as one of the most prominent challenges that the Iraqi governments have faced and still are. External interference oscillates between the two ends of the soft conditions (value, moral and altruistic considerations) and the hard conditions (economic, political, military and security factors), or a combination of both, while acknowledging the importance of internal determinants in seeking foreign attention. Divergence is clear in suggested solutions between the call for an international conference with neighboring countries that have invaded Iraqi territory, which defines the relationship between those countries and Iraq. Such a solution must be preceded by a precise definition of Iraq's real interests and the pursuit of a minimum level of internal consensus on those interests, and the need to move away from the axes and the lack of alignment with any of the conflicting axes, as well as a push to distance Iraq from regional and international conflicts.

Diverging Commonalities

Diverging commonalities are those that did not rise to the level of the collective common points and could almost be described as challenges threatening Iraqi sovereignty posed by two or more of the commentating gentlemen. The following points can be described as commonalities, although they can also be seen as points of divergence as long as the commentators have not agreed on them. They are: the Kurdistan region and its non-compliance to central authority, the Peshmerga's non-compliance to the command of the armed forces, the regions object of dispute, economic dependence, the decline in government performance, the administrative and financial corruption that has burdened the state and weakened the performance of its institutions, the societal division, the divergence of public interests, political differences and foreign policy.

Common Ground

Researchers can find common ground in the solutions and proposals presented, paving the way for an effective strategy that contributes to raising decision-makers' awareness of threats to sovereignty. They can be tackled based on an interpretation and assessment of reality in accordance with the two criteria of interests and objectives.

- The necessity of defining relationships with foreign forces and de-

termining the rules of engagement with them through clear-term treaties and agreements with specific interests.

- The necessity of defining the relationship with the regional neighboring countries and the countries of global influence by holding an international conference that includes all of them, based on the principle of keeping Iraq away from foreign interference.
- The necessity of drafting a new social contract based on a free and dignified Iraqi citizen, that paves the way for a political contract based on political interest, the balance of powers and the strengthening of the state's authority. This will result in a coherent national system based on unity of society, unity of its political forces, and strong, capable and influential institutions.
- Creating a progressive economic and service structure, and setting up the cumulative mechanisms to build economic policies that help set forth economic rescue plans.
- Finalizing and approving constitutional amendments to overcome weaknesses and imbalances indicated by the practical experience of the three powers.
- Reconsidering the definition of foreign relations with the world in a realistic manner that depends on the Iraqi interest first, and adopting a functional approach, rather than a doctrinal approach, in foreign policy and international relations.
- Defining the relationship between the center and the Kurdistan region and the governorates by stating the shared powers and exclusive powers with regard to oil and gas, border crossings, military and security forces, and the need to enable Iraqi forces to control all the country's lands and ports, and support their efforts in this regard.
- Transparent and fair elections to form a strong parliament through which a government capable of leading change will emerge in the country.

Chapter 4:

Iraq's Sovereignty Crisis, Conclusions and Recommendations

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Since 1991, Iraqi sovereignty has been gradually eroding from the resolutions issued by the United Nations, according to which the political and military sovereignty of Iraq had been undermined. Iraq has practically become subject to international decisions that were issued from time to time, which lasted until 2003 and ended with its occupation. Even after the formation of the Interim Governing Council in 2004, Iraqi sovereignty remained incomplete despite the attempts of many national forces to restore it, and this situation continued even after the transfer of sovereignty to Iraq. Iraq possessed legal sovereignty without its practical aspect, meaning that Iraq was not liberated from the American ties that bound to a Security agreement, which was followed by the Strategic Framework Agreement, which Iraq did not benefit from and that cast a shadow over the security situation. This reality continued even after the partial removal of Iraq from Chapter VII of the United Nations Charter.

In addition to the above, public policy in Iraq from 2003 until now was encompassed by crisis and challenges that still threaten the Iraqi state and its sovereignty. In addition, these crises have negative effects on the overall process of democratic transformation and their negative repercussions on the nature of the political, economic, social and security exercise of the state.

Therefore, the process of laying out suggestions will run according to a mechanism for assessing a part of a given problem and then proposing a specific approach to solve it. We do not claim that this approach is the ideal, but rather a phased proposal that can be developed into a more comprehensive proposal. One should not be overly optimistic to the level of believing that these proposals can shift Iraq from its current reality to the "model state" in exercising power and governance. This is because the internal complexity has reached a degree of difficulty that calls for caution and deliberation, and that the possible solution is to mitigate the reality of the situation to an acceptable level through gradual and neutral priorities. And after reviewing the opinions and comments contained in the paper and combining ideas with the conclusions and proposals submitted by professors specialized in Iraqi and political affairs, we present the following:

First: Reforming the political system and rationalizing political action as an entry point for comprehensive reform and achieving political stability (employable tools)

- 1- The country needs effective and real political parties that play a positive role in the process of political and social upbringing and democratization, parties with open horizontal extension to all

components of society. Such parties provide a suitable environment to maintain social cohesion through political organization and participation, and their commitment should be to achieving their political programs, enabling political awareness, contributing to shaping and directing public opinion, and gathering interests and expressing them. Such parties also prepare leadership figures capable of managing the state upon their arrival to power, and play a positive role in unifying society and transforming it into an institutionalized collective form, and contribute to creating a joint political culture and filling the gap between society and the state. Without this type of party, no democracy can develop.

- 2- The Iraqi state needs to build an inclusive national identity that frames difference and social plurality without abolishing them. Thus, national identity becomes a unifying bond that brings together the components of society under one goal, which is the joint effort to build a state of civil citizenship. One of the factors of strengthening national identity is the creation of a comprehensive historical memory that builds on shared values in contemporary historical facts, and on the common cultural ties as well as the creation of new shared values that support the cohesion and integration of society.
- 3- Amending the constitution on the basis of national consensus and redrafting it in clear and unambiguous language. Amendments should address the gaps and deficiencies in it in a way that secures the organization and balance of powers, defining their functions and the limits of their authority precisely to prevent the domination of one power over the other, or the domination of a certain bloc or political party over power. For this purpose, a working group of specialized university professors and constitutional law experts may be formed to fix flaws in the constitution and propose the required amendments in order for the political process to take its right course and to lay the correct foundations for building a state of institutions and enabling it to perform its functions efficiently.
- 4- The need for a state-building process is clear after the collapse as well as the need for statesmen capacity-building. A statesman is the product of a given time and place, his environment, capabilities and personal skills. A statesman influences events through his qualities and ability to deal with changes according to the goals of the state, and leaves his marks on their course not just in the country, but at the regional and international levels as well.

Second: The need to agree on the national interests of the Iraqi state and to define them clearly (employable tools)

- 1- Agreement on the nature of national interests of the Iraqi state requires the rise of national and non-sectarian political forces with a clear vision and understanding of the state's national political and economic identity, and then to agree on supreme national interests that constitute the solid ground for the state's sovereignty represented by political stability.
- 2- The Iraqi state must strive to build balanced relations with regional and international powers in accordance with international legitimacy standards.
- 3- Adopting standards of national interest in foreign policy and establishing balanced relationships based on mutual interests. In addition to this, it is crucial to meet the conditions for organizing the links between national interest and sovereignty: defining concepts, agreeing on the constants of national interest, adhering to international sovereignty standards and focusing on building the elements of power for the people and the state.
- 4- Cooperation and dealing with foreign states and interests should take place within the context of an institutional legal framework characterized by objectivity and transparency in order to eliminate ambiguity around dependency or association with specific regional axes.
- 5- Defining the priorities of the Iraqi political discourse and limiting statements to official channels and government agencies and not allowing political forces to reflect specific positions that could complicate the political scene, especially within the framework of the state's foreign policy and relations with other countries.
- 6- Dealing with foreign forces operating in Iraq and withdrawing the occupation status from them by including their presence in the framework of information, intelligence, technical, and logistical support and keeping them away from combat, which falls under the competence of the Iraqi armed forces.
- 7- Preventing any foreign influence in the decision-making process, whether at the internal or external level, especially in the neighboring countries. Dealing with foreign advisers from neighboring countries should be within the same mechanism that is used with advisors of the international coalition forces.

Third: Restricting weapons to the hands of the state and regulating the status of armed groups (employable tools).

- 1- Restructuring and building the military apparatus on the basis of citizenship and national affiliation, and the categorical prohibition of members of these institutions to work with politics. Military institutions represent an ideal environment for national integration and the consolidation of belonging to the homeland and national identity. A study is necessary regarding the application of the ban on employees of the military and security agencies participating in elections and casting their votes (at the present time) due to the specificity of the social and political situation in Iraq.
- 2- The necessity of restricting weapons to the hands of the state and moving towards building security and military institutions based on professional standards in building national armies within a single military doctrine keen on the unity of Iraq.
- 3- Perhaps the first step to regulating and reintegrating armed groups is to proceed with the project of regulating US military presence, as it is the reason on which the armed groups undertake their current behavior. The continuation of intelligence and logistical cooperation is important for the current stage, especially since the US administration has begun its actual program to reduce its soldiers' presence and there is a great possibility that the next (democratic) administration will continue with the same approach. This gives room during the next stage for the Iraqi government to work to control the status of armed groups. And we must not forget the pivotal role that these factions played in fighting ISIS, which has earned them legitimacy. That is why they cannot be dismissed from the political landscape, but their status must remain within reasonable limits. Based on this the issuance of the Popular Mobilization Authority law was an important attempt to lay a framework for these armed forces and legitimize their existence within the state system and official armed forces.

Fourth: Achieving a greater level of balance in dealing with countries of the geographical neighborhood, in a way that distances Iraq from the conflict of axes (employable tools).

- 1- The need for decision-makers to realize that Iraq is a central country in the Middle East because of its geopolitical position, as it is the link and separation between three regions, namely: the Arab, Iranian and Turkish nations. It is the only country that is geographi-

cally, socially, religiously, and ethnically linked between Iran, Turkey and the Arab countries with a bond of convergence, overlap and intertwining. Its final direction will affect the map of the cohesion of the societal and political geography of these three nations or their collapse. Here lies the importance of Iraq in its cohesion or collapse, which must be recognized and employed in managing the regional and international political process taking place on its land.

- 2- The geostrategic importance of Iraq makes it imperative for those in power to exercise wisdom in internal and external political behavior, and to adopt decisions according to a realistic vision and calculations to avoid risks to the country. The recklessness, imbalance and irrational rush of some has led to the involvement of Iraq in internal and external crises that were followed by significant damage to the state's present and future. The weight of Iraq's position must be used to enhance its position and regional role by adopting a policy of serving interests that ensures positive containment of regional axes and creates a regional and international understanding that a united, strong and peaceful Iraq will preserve positive interests and balances in the region, and prevent a deadly clash between conflicting strategies. Moreover, we find a need to disengage from the region's matters and crises, taking into account the higher interest of the state.
- 3- The search for an effective equilibrium state model. It is the model of the internally balanced Iraqi state that plays the role of regional and international balance in a way that qualifies Iraq to be a strategic force, and a point of balance for major regional strategies. This prevents existential collision and creates strategic stability in the Middle East. An effective balance means an Iraqi state that is politically, economically and militarily strong, able to maintain a positive balance between the region's strategies.
- 4- Building balanced relations with regional and international powers in accordance with international legitimacy standards, and ensuring that these actors do not interfere in internal Iraqi affairs. This matter requires the presence of a state that political and social forces and currents believe in, and support its cultural activities towards a project all agree on. This must be embodied by a political system that reflects the interests of all and upholds them according to a social contract in which all constituents' interests fall under national interest.
- 5- The need arises for alignment between executive and legislative authorities in the country around the nature of regional equations,

world trends and decision centers. There is a need for awareness of the nature of the conflict of interests and its political and economic consequences, then planning for a balanced and wise governance that is aware of its own interests

Fifth: Calling for a comprehensive Iraqi dialogue as a strategic option to achieve national interest, preserve sovereignty and set the framework of the state (employable tools)

- 1- Introducing a comprehensive strategic dialogue between Iraqi political forces by focusing on the common denominators that unite the Iraqi people and straying away from the problems of the past without ignoring them or not addressing their repercussions. This would require consensus on the quality and nature of supreme national interest, the foundations of sovereignty and the mechanisms for its preservation, and the drafting of a new social contract based on a free and dignified Iraqi citizen, a covenant for a political contract based on political interest and the balance of authorities, and enhancing the authority of the state. This will result in a coherent national system based on the unity of society, of its political forces, and strong, capable and influential institutions.
- 2- The participation of all active forces in the strategic dialogue. The dialogue must be between the key forces in Iraqi society in its diversity, whether these forces are inside or outside the political process, including the political opposition and armed forces, provided that this dialogue leads to a historic settlement that ends the Iraqi-Iraqi dispute. The crisis that Iraq is going through is comprehensive and multilayered within and outside the frameworks of the political process, which requires that the solution be comprehensive of all the parties to the crisis in order to reach a complete understanding and agreement to resolve the dispute and ensure the implementation of what was agreed on.
- 3- Emphasis must be placed on ensuring that the strategic dialogue leads to an agreement by the various Iraqi political parties and societal components on the national parameters, giving priority to the supreme interest, distancing themselves from personal interests and whims, and getting rid of arrogance and prejudice which have weakened the Iraqi state.

Sixth: economic independence as a gateway to getting rid of pressure and compromise (employable tools)

- 1- To head towards developing energy resources such as investing in domestic gas production - in the event that Iraqi leaders are unable to exploit it. Generating electricity to reduce dependence on imported gas can guarantee financial resources, but would also allow Iraq to overcome foreign policy restrictions. This step was taken by Prime Minister Mustafa Al-Kadhimi during his visit to the United States of America in September 2020, and to review the agreement with American companies to develop gas fields in Dhi Qar, although this step was understood internally by some political parties as a means to curtail Iranian economic interests.
- 2- Restructuring the Iraqi economy and enabling a fair tax system to overcome the rentier character and dependence on oil as a main resource. There is also a need to strengthen interdependence between society and the state, and to work to attract foreign and local investment and support and revitalize the private sector to contribute to economic and social development. The relationship between democracy and the economy requires the provision of economic freedom and market economy. Democracy loses its credibility when it is unable to successfully tackle socio-economic challenges due to the close interdependence between democracy as a political system and economic development due to their joint dependence on social, cultural and economic elements.
- 3- We find it necessary for Iraq to deal with neighboring countries according to the theory of mutual energy security, meaning that Iraq should seek to be a conduit for energy transfer projects from the Gulf states and Iran towards Europe. Thus, Iraqi security status will increase in the exporting countries (Gulf countries and Iran) and importing countries (European countries) and transit corridor country (Turkey).
- 4- Reconstructing the Iraqi economy on the basis of the three sectors of agriculture, industry and services. It is important to make the energy sector a tributary in building and developing the three main sectors in order to achieve self-sufficiency at least with regard to agriculture and food industries and support national products by all means, even if they are moral, especially in light of Iraq's commitment to the policies of the IMF and the World Bank that prevented direct financial support.

Chapter 5:

Sovereignty and Marja'iyya

Summary Compiled By

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The return of sovereignty to the Iraqis and its preservation was a central topic in the words of the *Marja'iyya*, or Supreme Religious Authority. They urged the Iraqi government, at its first establishment, to obtain a decision from the UN Security Council to restore full sovereignty without compromise in any of its aspects. By analyzing the Supreme Religious Authority's words and its multiple dimensions, we can make the following observations.

The Supreme Religious Authority had a comprehensive theory and deliberate positions that represent the general vision of the concept of governance in Iraq. These statements were based on a set of principles that the Supreme Religious Authority has always emphasized; that the Supreme Religious Authority is for all Iraqis; that no foreign power has guardianship over the people of a nation; and that the people are the masters of themselves. To achieve those goals and restore full sovereignty to the state and the people, we note the Supreme Religious Authority's emphasis on several matters.

First, the need for the people to take their role in building the modern state. This is after the Supreme Religious Authority stated that it is not going to establish a religious state on the basis of *Wilayat al-Faqih* or "the guardianship of the jurist." It is up to the people to establish a system on which all its components and sects agree and unite them. This cannot be done by imposition or interference from an external force, or the control of some groups over others. The people can achieve that sovereignty through writing a constitution, which acquires its legitimacy through approval by a majority of the people. Thus, it achieves the first step in establishing a state that possesses both internal and external sovereignty.

His Eminence's statements focused on the importance of independence in writing the constitution. This is achieved through two things: (1) that it be written by a committee elected by the people and its rejection of any other methods or bodies that write the constitution; and (2) that the constitution preserves the identity of the Iraqi people and conforms to the supreme interests of the people.

Second, concerning internal sovereignty (which in constitutional jurisprudence means the supremacy of the state and the extension of its powers over its territory without competition from any party or other authority), His Eminence was keen to emphasize: the rule of law by urging citizens to take care of legal restrictions and the impermissibility of violating them; the necessity to preserve public funds; and alerting citizens to the need to fulfill the duties of the public office that they hold.

In addition, many of His Eminence's writings included the necessity to confine weapons to the hands of the state and support the security forces

in carrying out their function in maintaining security and defending the country. This is considered one of the most important manifestations of internal sovereignty, especially since Iraq faced a state of chaos and looting of weapons stores early after the fall of the Baathist regime and upon the dissolution Iraqi army by the coalition authority.

In this context, the issue of building a strong national army in charge of maintaining security and defending the country remained one of the basic demands in the statements of His Eminence. Even when he called for *jihad kifa'i* against ISIS, his call was for citizens to volunteer within the official Iraqi security forces. He did not call for the formation of alternative or auxiliary forces.

Third, with regard to foreign sovereignty (which is that the state does not submit to any foreign state or authority, and that it enjoys complete independence on the external level), His Eminence had an opinion from day one on how to get Iraq out of its occupation. He called for peaceful methods towards accelerating the restoration of sovereignty to Iraq and its people, and to enable them to rule their country without any foreign interference.

In this context, the Supreme Religious Authority considered that seeking the assistance of the United Nations is one of the most successful peaceful means. This was clearly evident in his continuous reception of the representatives of the UN Secretary General in Najaf, and discussing with them the conduction of elections and other steps that the political process in Iraq took. The involvement of international organizations makes regional and global powers under international obligations that cannot be eluded.

In addition to that, His Eminence repeatedly called on other countries to respect the sovereignty of Iraq and the will of its people and not to interfere in their affairs. He emphasized that Iraq fell prey to foreign interference for decades past, so work must be done to prevent any further external interference. He called for Iraq's policy to be based on establishing neutrality and balance between regional and international parties, and to establish strong relations with all neighboring countries, especially Arab countries.

His Eminence also emphasized one of the important forms of sovereignty, which is controlling border crossings, preventing smuggling, and not using sectarian unity as an excuse for not observing the official ways to enter the country. He called for the necessity of observing the official methods of entry and exit from Iraq, and that sectarian unity with neighboring countries does not justify breaking these laws. Thus, he declared that it is impermissible to enter the country by non-official means.

His Eminence also warned about a number of important matters that

would nullify the pretexts of foreign intervention, including: (A) rejection of sectarian strife, as he warned against falling into discord and called for maximum restraint in several situations, including facing the wave of bombings that hit the Askari Shrine in Samarra; (B) His Eminence stresses the role of the Iraqi government in preserving the rights of minorities as one of the most important features of the civil state, and denouncing what they faced to from time to time at the hands of extremist groups; and (C) respecting human rights and freedoms, which His Eminence has always emphasized and called for in accordance with the articles of the constitution, and dealing with peaceful demonstrations in an appropriate manner so that this issue does not constitute a pretext for external interference and an arena for settling scores.

Studying the statements of the Supreme Religious Authority clearly shows the focus on Iraq being an independent country and that the government is a result of national self-determination. There is a clear and consistent keenness to alert the government and guide it to address its mistakes, secure the interests of citizens and provide necessary services. At the same time, His Eminence directed the people to practice their right to choose their representatives, the need for oversight over elected officials, to follow peaceful methods in claiming rights, and protecting the sanctity of public and private funds.

Appendix

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Introduction: Vision and methodology

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Chapter 1: Sovereignty and the Executive Power

HE Prime Ministers in the post-change period 2004-2020

- Dr. Ayad Allawi
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- Hajj Nouri Kamel al-Maliki
- Dr. Haidar Al-Abadi
- Mr. Adel Abdul Mahdi

Chapter 2: Sovereignty and the Legislative Powers

The Honorable Speakers of the Parliament 2005-2018

- Dr. Hajem Al-Hassani
- Dr. Mahmoud Al-Mashhadani
- Dr. Ayad al-Samarrai
- Mr Osama al-Nujaifi
- Dr. Salim Al-Jabouri

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