

Iraq's New Constitution

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The US is pushing the Iraqi “government” to agree on a draft constitution which will divide the Iraqi people and weaken their nation. The new draft constitution is based on the November 2003 US-crafted illegitimate interim constitution, the Transitional Administrative Law (TAL), produced from the notes book of Paul Bremer, then the US Proconsul in Baghdad. Its aim is the colonisation of Iraq and the wholesale privatisation of Iraq’s economy.

According to US-crafted TAL signed in March 2004, the new draft has to be approved by parliament by the 15 August and submit it to Iraqi voters for referendum on October 15. If the draft approved, it will pave the way for another general election in December. ‘If the referendum rejects the draft, the National Assembly shall be dissolved. Elections for a new National Assembly shall be held no later than 15 December 2005’. The current Iraqi “government” has no choice but to agree on the draft or dissolve as the TAL requires it but, with few days’ extension the quislings have no option, but to play it safe. Intense US pressure, orchestrated by Defence Secretary Donald Rumsfeld and US colonial emissary in Baghdad, Zalmay Khalilzad, and backed by more than 160,000 US troops and foreign mercenaries, makes the draft and the timing an important part of the US imperial agenda.

The Bush administration needs this propaganda campaign to show the world that its policy remains on course – something positive out of Iraq – and that “democracy” is “spreading”. “The constitutional process is nothing more than a placebo for US voters ... Bush must at least be able to show some success on the political field”, declares the German daily, *Die Tageszeitung*.

Recently, Khalilzad has warned the Iraqi “government” that the US occupation must continue and the economy must be privatised and sold to US corporations. The *Washington Post* reports that Khalilzad attempted to break the deadlock by presenting a US-crafted draft of the Iraqi constitution. ‘The Americans say they don’t intervene, but they have intervened deep,’ Mahmoud Othman, a Kurdish member of the constitution committee told the *Washington Post* (August 13, 2005). ‘They gave us a detailed proposal, almost a full version of a constitution. The U.S. officials are more interested in the Iraqi constitution than the Iraqis themselves’, he added. There is no need to rewrite Iraq’s Constitution. It was one of the most secular and progressive constitution in the Muslim World. It just doesn’t serve US interests.

Meanwhile, the reality on the ground, the Iraqi people are left in the dark about their “new constitution” despite their overwhelming rejection of the Occupation. Like the fraudulent and sectarian-based January 30 elections, the new constitution will be sold to Iraqis unpacked. The US is doing everything to show it is “winning” the propaganda. Ordinary Iraqis “ask you about security, about electricity, about water, about when the occupation will end,

when the murders will end, when the rapes will end”, reported Robert Fisk of *The Independent* in Baghdad.

The current “government” – the Kurds and the SCIRI-Da’awa parties – has no credibility among the majority of the Iraqi people. It was appointed by the US occupation and has since betrayed the Iraqi people by failing to keep its pre-elections rhetoric and demand the full withdrawal of foreign troops from Iraq. This “government” is also failed to provide the minimal security and most basic living conditions demanded by the Iraqi people. Its survival very much depends on the presence of the occupying forces.

The Kurd warlords, US faithful allies, hold more than 25 per cent of the assembly, and their role and intransigent will affect more than 85 per cent of the Iraqi population. The second group or slate is the SCIRI-Da’awa party, a collection of pro-Iran expatriates and Iranian Mullahs led by the current “Prime Minister” Ibrahim Al-Jaafari and his deputy Ahmed Chelabi. The pro-Iran segment of the “government” and the Kurd warlords are seeking to protect their self-interests and divide Iraq along ethnic and sectarian lines by way of “federalism”, a euphemism for a divided nation.

The idea was first introduced in 1991 by the US-Britain illegal and criminal “no-fly zones” bombings of Iraqi towns and villages, which partitioned Iraq into three parts. It has gained momentum since the March 2003 invasion and the installing of ethnically-based Interim Government. The sectarian and ethnic demarcation lines were absent before the US-Britain genocidal war against Iraq. “Terms such as Shiite south, and Sunni centre and the like of today, reflect only the determination of outside powers to partition Iraq”, wrote Muwaffaq Rifai, editor of *Al-Manara* daily in Baghdad. Since its inception, the Iraqi state have never regard its citizens in terms of their religion or ethnicity but rather in terms of the degree of their loyalty to the state. It is true, there are demographic concentrations of Iraqis, but Iraqis see themselves as one people.

Ignoring that all Iraqis, Arabs and Kurds, are Muslims with small Christian minority, Western mainstream media concentrate on promoting sectarianism and the partition of Iraq. It is important to recognise that before the war all Iraqis have lived in harmony regardless of their religious affiliation. There are one million Kurds living in Baghdad, the largest concentration in Iraq. Do they feel threatened by other Iraqis? Absolutely not! ‘Iraqis increasingly define themselves by classifications that were not common before [the invasion]’, Dr. Harith Hassan, a well-known Iraqi psychiatrist told *Reuters* News. ‘You may have a Shiite father and a Sunni mother, and the children don’t really know how they are defined, but they are being forced to define themselves as one or the other’, he added. The new disease of sectarianism and fratricidal conflict is the product of US Occupation and US policy against Iraq.

The Bremer’s TAL allows any three of the 18 provinces the right to form an autonomous region, and effectively gave the Kurds a veto over the new constitution because the TAL states that it can only be amended by 75 per cent vote in parliament. It should be remembered that the elections were boycotted by more than half of the Iraqi eligible electorates, and the final result was rigged by the US in favour of the Kurds and the Allawi slates. The elections produced no government, but a political stalemate. The aim is to keep the quislings fighting each others, while the wealth of the nation is siphoned off by the US military and US private corporations.

While the Western mainstream media are concentrating on the malevolent phantasy of the “role of Islam” in the new constitution, the rights of Iraqi women – the most equal and progressive in the region prior to the Occupation– and the distribution of power between the quislings, the economic aspects and the colonisation of Iraq remain deliberately unmentioned.

The 100 orders enacted by Paul Bremer to privatise and sell Iraq’s economy and natural resources, the main motive behind the US invasion and occupation of Iraq, have not been mentioned. Antonia Juhasz of the *Foreign Policy in Focus* rightly called it; the “Bush economic invasion of Iraq”. The US is embarking on the wholesale privatisation and colonisation of Iraq’s economy. The most brutal of these 100 orders is Order 39 which essentially forced the sale of 200 Iraqi state-owned companies would be privatised, and that foreign companies could have complete control of Iraqi Banks, factories and mines. These companies could transfer all their profits outside Iraq.

Order 81, for example, is designed to destroy Iraq’s agriculture sector and convert Iraq into a consumer rather than producer of food to feed the Iraqi population (see my *Undermining Iraq’s Food Security*). Order 81 deprives Iraqi farmers of their right to save and plant seeds, a right as old as 10,000 years. While the Iraqi constitution prohibits the sale of biological resources, Order 81 will simply take over Iraqi agriculture, and put it in the hands of Monsanto and the like of US biotechnology corporations. The Order is simply a threat to Iraq’s food security. In addition, the US is introducing a new national oil law to eliminate the nationalisation of Iraq’s oil – a legitimate right of Iraqis – and eventually put it in the hands of US corporations.

Collectively, the 100 orders were a form of imperial armed robbery of Iraq’s wealth. The orders impose – at the point of a gun – neoliberal free-market economy controlled by US private corporations. It should be borne in mind that these orders were enacted by an occupying foreign army without the consent of the population, and thus they are illegal and illegitimate. The only way for the US to continue its colonisation of Iraq and the theft of Iraq’s wealth is by installing a pro-US government dependant on US protection, and inclined to demand full independent.

We know now that the pretext for the invasion was a blatant lie – a lie that constitutes one of the most serious distortions of the historical record in modern times – to commit a “Supreme International Crime”. Every day since the US invasion, the most basic democratic and human rights of the Iraqi people are being violated by US troops and foreign mercenaries. Homes are broken into and people arrested, taken away, imprisoned and tortured on suspicion of taking part in the legitimate Iraqi Resistance. Streets and towns are cordoned off and roads are blocked. Whole areas of the country are under curfew and off-limits. Legitimate strikes have been declared illegal, press freedom was removed long time ago, a culture of corruption unheard of in Iraq before the invasion has been introduced, and demonstrations are regularly fired upon by “trigger happy” US soldiers. Will the new Iraqi constitution has the power to prosecute foreign troops who committed war crimes against Iraqis?

More than 100,000 innocent Iraqis have been killed; the great majority was women and children. The estimate is very conservative. Tens of thousands of Iraqi men, women and children are imprisoned and tortured daily by US forces. These criminal practices have forced joint Chiefs of Staff Chairman General Richard Myers to move forcefully to block – in the US Federal Court – the release of new evidence of torture and abuse of Iraqi prisoners at

Abu Ghraib prison, arguing it would help recruit new “Islamist” fighters and “endanger American lives”. Then why continue committing these crimes against the Iraqi people? Isn’t it safer to stop practicing them?

US violence in Iraq continues, *Knight-Ridder* reported, “[r]esidents in [al-Tagiliah], a village north of Baghdad, said two of their farmers and five others from another village were killed when US soldiers shot them while they were watering their fields of sunflowers, tomatoes and cucumbers.” On 13 August 2005, *Swiss News* reported that “U.S. troops opened fire indiscriminately immediately after an explosion, shooting towards people emerging from the mosque. The director of Ramadi General Hospital said ‘15 people were killed, including eight children, and 17 wounded’”.

In total disregard to civilisation and humanity, the entire nation of Iraq has been deliberately destroyed. The nation’s cultural heritages have been looted and destroyed, and the health care services and education system have been destroyed. The country still has no reliable electricity supplies and no clean drinking water. Iraqi living condition has worsened, and many Iraqis admit openly that life before the occupation was much better and safer.

The daily killings of innocent Iraqi men, women and children by US soldiers are no news for the *BBC* propaganda war machine and the like in the Anglo-American coalition. Western media have deliberately dehumanised Iraqis in Western consciousness, and thus it is now common knowledge in the West that non-Western lives do not count. The aim is to normalise the atrocity in the name of Western “democracy” and “freedom”. How do Americans expect Iraqis to like them? This extreme brutality used by the US to spread its imperial hegemony is not going to work.

The new US-crafted constitution is imposed by armed foreign occupation – 160,000 US troops and foreign mercenaries. It is designed to keep Iraq a colonial dictatorship ruled by US forces behind an Iraqi façade of quislings. It will deny all Iraqis not only their democratic and human rights to control their economic future, but also their national independent and sovereignty. Therefore, Iraqi Resistance to the Occupation “is entirely rational and the only solution is a rapid withdrawal of US troops and Iraq’s return to full sovereignty”, wrote Alain Gresh, editor of *Le Monde Diplomatique*.

The American people should be ashamed for having allowed their government to invade and occupy a defenceless nation. It is more shameful, they are allowing their government to commit daily war crimes in their name. Americans cannot pretend to live in “liberty”, while they deny basic liberty and freedom to other people. The only honourable act that will lift Americans to their dignity is to demand from their government the full and immediate withdrawal of US troops from Iraq.

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