

## "Dramatic Consequences in Iraq?"

"Dramatic consequences" are what U.S. Secretary of Defense, Robert Gates, predicts if, on Jan. 1, 2009, there is no agreement concerning the rights of U.S. troops to operate in Iraq, either via a so-called Status-of-Forces Agreement (SOFA) between Iraq and the United States or, second best, an extension of the United Nations mandate that is at the moment the juridical basis of the presence and rights of U.S. military activity there, but which expires on Dec. 31, 2008.

The negotiations between the United States and Iraq have reached an impasse, as almost everyone now acknowledges. There could be a last-minute breakthrough, but it seems unlikely. It seems more probable that the U.N. Security Council will meet at the very end of December to authorize a time-limited extension of the present mandate. This would throw the question into the hands of the next U.S. president to negotiate. This is not at all what the Bush administration had wanted or ever expected to happen.

A year ago or so, the Bush administration was confident that it could negotiate a SOFA agreement with a presumed-to-be friendly al-Maliki government in Iraq. It wanted an agreement that would more or less renew the current rules governing U.S. military operations in Iraq and one that would also thereby tie the hands of the next U.S. administration for at least several years. The U.S. negotiators proposed an agreement at the level of the two governments, one that would not have to be ratified by the legislatures of either country.

Everything went wrong with this plan. First of all, the legislatures insisted that they wanted to be part of the arrangements, especially the Iraqi legislature. Secondly, there were important political voices within Iraq who were against *any* arrangement that would keep U.S. forces in Iraq. These included, of course, the group led by Moktada al-Sadr, who has consistently raised the banner of Iraqi nationalism against a continued U.S. presence.

But al-Sadr was not alone. It turned out that there were serious reservations among all three groups on whom the United States had counted to be sympathetic to an extension - the two main Shi'a parties other than the Sadrist (SCIRI and al-Maliki's party, Dawa), the so-called moderate Sunnis, and of course the Kurds. The rumblings on all sides led Prime Minister Nouri al-Maliki to take a far tougher line in the negotiations than the United States had anticipated. He started to act as though his greatest worry was that he might be outflanked as an Iraqi nationalist leader by others, and in particular by Moktada al-Sadr.

Al-Maliki therefore made two primary demands in the negotiations. He wanted a firm date for the withdrawal of U.S. troops. And he wanted to submit U.S. troops and civilian contractors to Iraqi jurisdiction, whenever they were accused of serious crimes committed outside of legitimate military activity. Both demands were totally anathema to the United States.

But al-Maliki held firm. And after many months he got concessions. There was agreement on a terminal date of 2011 for U.S. combat troops, and there was agreement on Iraqi jurisdiction on behavior in the non-military arena. But the wording of each concession also included escape clauses. The withdrawal in 2011 was to be subject to "conditions on the ground." And Iraqi jurisdiction was to be subject to someone (presumably the United States) deciding that the alleged behavior was indeed outside of legitimate military activity.

The escape hatches turned out to be too much for Iraqi politicians to accept. As one of them recently put it, "they have given with the right hand what they have taken away with the left hand." So, one after the other, they said they would not vote to approve the present "compromise" draft. The most important voice along these lines was Grand Ayatollah al-Sistani who indicated that the present proposal was unacceptable. The largest Shi'a party, SCIRI, refused the draft. The moderate Sunnis and the Kurds indicated that they wanted changes. The entire Iraqi cabinet then voted to insist on amendments. It then indicated that one of the amendments would be to give the Iraqi (and not the U.S.) government the power to decide on whether behavior of Americans was outside legitimate military activity. It doesn't seem that such amendments are at all acceptable to the United States.

In this situation, Secretary of Defense Gates and Secretary of State Condoleezza Rice have tried to issue careful diplomatic comments. Other Americans were not as restrained. The commander of U.S. troops in Iraq, Gen. Raymond T. Odierno, said that Iraqi reluctance was due to Iranian bribes. Al-Maliki immediately said that Odierno had "risked his position."

Then the Chairman of the U.S. Joint Chiefs of Staff, Adm. Michael Mullen, opined that, without U.S. troop support, Iraqi forces would not "be ready to provide for their own security." The Iraqi government's spokesman, Ali al-Dabbagh, immediately responded angrily that "it is not correct to force Iraqis into making a choice and it is not appropriate to talk with the Iraqis in this way." Other Iraqis were more blunt. They called Mullen's comments about ending all U.S. assistance if a SOFA agreement was not signed a form of "blackmail."

When the United States launched its recent raid against presumed al-Qaeda elements located on Syrian soil, and did this from a base in Iraq, it threw further cold water on the proposed agreement. A prominent Kurdish politician said that the raid was made without the knowledge of the Iraqi government and would give Iraqi's neighbors "a good reason to be concerned about the continued U.S. presence in Iraq." Another amendment the Iraqi cabinet now wants is one forbidding attacks on neighbors by U.S. forces located in Iraq.

Russia's Foreign Minister, Sergei Lavrov, has made it clear that Russia would not oppose an extension of U.N. authorization, provided it is the government of Iraq that requests it. Lavrov added that Russia supports "the government of Iraq as far as the need to ensure the sovereignty of Iraq on its own territory is concerned." Why should Russia not do this? Russia is quite happy to see U.S. troops tied down in Iraq for the time being. It constricts U.S. ability to use them anywhere else. In any case, there is a question whether the Iraqi government, if and when it requests an extension of the U.N. mandate, would ask that the new provisions the United States is opposing in the SOFA agreement be included in the extension, in which case the United States might veto the extension.

The person who is quietly relishing what is going on is Moktada al-Sadr. His mere existence as a voice on the Iraqi scene has forced all other Iraqi political forces to express Iraqi nationalist demands more openly and more aggressively. The tide is moving in his direction. It is now quite probable that the Iraqi government will ask the United States to withdraw entirely even before the hypothetical date of 2011 in the present proposal, and very long before the 100 years of which John McCain once spoke.

Will there be "dramatic consequences"? The world will judge. So of course will the Iraqis. And so will U.S. public opinion. But dramatic or not, it is probably going to happen.

by Immanuel Wallerstein