



RECONCILIATION AND IRAQ: FAITH-BASED ADVICE FOR THE NEXT PRESIDENT

By Daniel Philpott

Since the end of the Cold War, U.S. presidents have been stymied most by the problem of building peace in war-torn societies following U.S. military operations. The problem has proved far more difficult than military victory itself. President Bill Clinton's worst foreign policy disaster, in Somalia, was not in forcefully securing the delivery of relief supplies, but in seeking to build state institutions afterwards. President George W. Bush's knottiest dilemmas have been securing order after military victories in Iraq and Afghanistan. It is unsurprising, then, that in late 2005, the Department of Defense elevated post conflict reconstruction to a "core mission," or that the State Department, the Agency for International Development, the World Bank, and the United Nations have performed similar re-evaluations.

Is peacebuilding, in Iraq or anywhere else, a problem for which religious ethics can provide guidance? Christian and Jewish ethicists in the U.S. had more to say about the justice of defeating Saddam Hussein than about the difficult aftermath. This was to be expected—after all, they had at their disposal the centuries-old tradition of "just war." But what ethic should govern when the formal part of a war is over, yet armed factions continue to attack civilians, one another,

and the American troops who are there to secure peace? What ethic should dictate action when the fighting fails to abate and when Congress and the American people exhibit wavering support for post war efforts? What we need is a *post bellum*, an ethic for building peace. The seeds for such an ethic lie in the thought of Augustine and Aquinas—two major pioneers of the just war tradition, who each taught that a just peace is the purpose of a just war. But few have sought to develop carefully the ethics of war's aftermath!

I propose that such an ethic exists. It is rooted in the central message of Christianity and Judaism and also resonates with Islam. It also has a great deal to say about what the next president ought to do in Iraq. The ethic can be called reconciliation.

Roots of Reconciliation

For some, this ethic's very religious roots may well be part of the problem, not of the solution. Is not religion one of the

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key sources of bloody division in Iraq, not to mention fracture in America? But the religious roots of reconciliation are an asset, not a liability. A deep religious justification could build the legitimacy at home that a military effort needs. A religious rationale, especially one that overlaps with Islamic commitments, can also increase the legitimacy of our policy in Iraq, a part of the world where purely secular justifications garner little popular support. What is more, the very point of a reconciliation ethic is to unify.

Since roughly the late Middle Ages, Christianity has treated reconciliation as a private ethic, something to be practiced between friends, families, and members of a religious community, or as a sacrament, confined to the confessional. To some it has a utopian connotation—an end state where lions lay down with lambs and tatars are wiped away. Strikingly, over the past two decades, the concept has emerged in both theological and political contexts all across the globe, especially in societies addressing injustices committed during a war or an authoritarian regime. South Africa, where Archbishop Desmond Tutu led the Truth and Reconciliation Commission, remains the most famous. Its effort was itself inspired by Chile's truth commission and has in turn inspired other countries.

The reconciliation concept has recently entered debates and conversations within the U.S. over its policy in Iraq. The Iraq Study Group chaired by James Baker and Lee Hamilton—hardly utopians or religious zealots—mentioned the term 63 times in its report of November 2006. The term was used often during the fall 2007 debate between the Bush administration and Congress over the progress of U.S. policy in Iraq. Iraqis themselves have used the term frequently as well. In June 2006, Prime Minister Maliki called for a comprehensive national reconciliation plan, appealing directly to the South African experience. In all these proposals, reconciliation typically means revising Iraq's constitution to allow for more Sunni participation in government, reversing de-Baathification, providing amnesty for those who have fought against the

government, sharing Iraq's oil revenues equitably across regions, and demobilizing militias. But are these policies the same as the biblical conception? And might a biblical conception point to a different kind of policy for Iraq?

Reconciliation is a conception of justice, and hence an ethic relevant for politics. This claim can be derived from the Jewish Tanakh, or the Old Testament as it is known to Christians, as well as the New Testament. Importantly for Iraq, it also resonates in the Qur'an. In all of these sources, reconciliation means broadly the restoration to a condition of righteousness. We then observe that the Bible's words for righteousness—*tsedyk* and *mispat* in Hebrew and various words beginning with the stem *dik-* in Greek, especially *dikaionne*—translate just as easily to justice. The same can be said for *adl* and *qsr* in Arabic.

But this seems strange to modern ears, for which justice and righteousness are different. How strange it would sound if instead of having a Department of Justice we had a Department of Righteousness, comments one biblical scholar.² But in the scriptures, the justice of righteousness is comprehensive, applying to all aspects of relationship in a community and between a community and God. Through his covenants, God sets forth its content. But justice is not only a condition of righteousness; it is also a comprehensive restoration of righteousness when it is broken by sin and injustice—by violence; economic exploitation; oppression of widows, orphans, and aliens; and warfare between nations. The messianic Second Isaiah speaks of justice in this way; so does Jesus, who quotes this very portion of scripture in speaking about justice (Matthew 12: 18-21).

Reconciliation and Iraq

A holistic conception of justice? Restoration of right relationship? How removed such ideas seem from today's headlines. The debate in America is now centered around the return of U.S. troops. In Iraq, though violence has decreased sharply since the beginning of 2007, it continues to spike from episode to episode. Iraqis themselves are desperate simply to live in security, the precondition for any sort of

relationship at all. This struggle dictates that efforts to build peace in Iraq must be far more comprehensively restorative, even if the U.S. diminishes its own military involvement. To be sure, an ethic of reconciliation, carried out in a modern political context, cannot or should not be as comprehensive as the biblical one. Its primary purpose must be to secure peace, the rule of law, and the guarantee of human rights for all Iraqis, not a reconciliation of all with all (though civil society efforts might well reach for a wider reconciliation).

Yet, the very success of these more limited goals may well depend on a vision of reconciliation whose breadth approaches the biblical vision—and that is certainly more comprehensive than the vision of Maliki and the Iraq Study Group.

The central problem in Iraq is war among many factions who are divided by ethnicity, religion, ideology, and resentments, hatreds, and desires for revenge rooted in history. Sunnis war against the governing Shi'ites, tens of thousands of whom died at the hands of Saddam in 1991; Shi'ites retaliate and seek to secure their majority rule under the current constitution. Kurds, whom Saddam also killed en masse, are hostile to Arab Iraqis, from whom they seek ever greater self-determination. Al Qaeda and related radical Islamic groups war against the Iraqi government and against American troops. Iraqis of many other stripes are hostile to the American presence as well.

Several policy options have been proffered. Senator Joseph Biden and others support partitioning Sunnis, Shiites, and Kurds into separate, homogeneous regions in a loose federation. Indeed, thousands of Iraqis have already sorted themselves out in just this way. But as history has shown in India and Pakistan and elsewhere, separation is not easily achieved without massive bloodshed. Iraq's provinces and cities, especially Baghdad, are still highly mixed. Rapid, forced population movements would create ethnic cleansing, destabilize an already divided government, heighten competi-

tion over resources, and encourage factions to ally themselves with outside states like Iran and Syria, thus destabilizing the whole region.

Another proposal is to allow one side—probably Shiites—to win a civil war and then goad it to govern minorities humanely. But it is difficult to see how such a victory would be realized without large amounts of further bloodshed and deepening resentments and drives for revenge by Sunnis, who would inevitably feel left out by victorious Shiites.

Another option—not a mutually exclusive one—is for America to withdraw and let Iraqis sort the rest out. But such a policy would be morally irresponsible, not least because of the U.S. contribution to the present chaos. It would likely result in a power vacuum that would vastly increase factional fighting in Iraq, possibly set the whole region ablaze, and bequeath a victory to terrorist groups.

No, there is little option but for Iraqis—in every community—to live under the same set of institutions and for American troops, even at reduced levels, to facilitate this cohabitation. Indispensable, in turn, are efforts to assuage the hatred, the resentment, and revenge that form the central animus behind the imbroglio that the next president must inevitably deal with. That is where reconciliation comes in.

Modern Political Reconciliation: Six Practices

Again, a biblical conception of reconciliation, the basis of *agape post bellum*, is a holistic project of restoration. Translating it into modern politics, I propose, are six practices, each of which restores persons, relationships, and political orders with respect to some way that violence has wounded them.

The first of these practices is building just and inclusive structures—a secure peace, institutions based on human rights and the rule of law, and just economic policies. Clearly, the peace of security—what Augustine called the *tranquillitas ordinis*—is foundational.

Iraq made great strides when it adopted a new constitution and created a permanent standing government. The recommendations of the Iraq Study Group would go a long way towards deepening these structures: a more inclusive constitution that gives more status to Sunnis and others and a more equitable sharing of oil revenue. The U.S. also ought to increase vastly the amount of aid it offers for the rebuilding of infrastructure. But these structures cannot be sustained without addressing the emotions and attitudes that threaten to tear them apart.

The second practice is acknowledgment. The more than 30 truth commissions around the world have shown that public acknowledgment of victims and their wounds often contributes a great deal to their healing and to their restoration as citizens and often has a surprising power to dampen their desire for revenge. The same exposure of deeds can foster accountability for perpetrators and assist trials. For entire societies, truth commissions can create a public historical record and foster legitimacy for the coming regime. Over the past five years, truth commissions have been considered at the highest levels of the Iraqi government while at least six Iraqi parties, along with respected international legal voices, have drawn up blueprints for one.³

At the moment, the lack of security in Iraq makes a national truth commission unrealistic. But as countries like East Timor have shown, public acknowledgment can occur in local communities as well—sometimes all the more effectively. Violence in Iraq is confined to about five locations; some 80 percent of it occurs in Baghdad. Truth forums could begin in other communities. The International Center for Transitional Justice interviewed nearly 400 Iraqi citizens and found broad support for truth-seeking processes, especially local forums and ones conducted by nongovernmental organizations. As one Sunni man from Baghdad remarked, "[t]he Iraqi people

need to learn from the lessons of the past to be able to create the future—not merely say that we remember the past."⁴ In addition, acknowledgment can take place through documentation centers, museums, memorials, and the unearthing of mass graves—all of which the same report shows strong support for, and which leaders like the prominent Iraqi exile Kanan Makiya have vigorously promoted.⁵ Closely related to acknowledgment is a third practice: reparations, which is another form of public acknowledgment that involves a material transfer to victims. "Iraqi Voices" also cited strong support among respondents for material and symbolic compensation.⁶ Citing European foundations for victims of Nazi injustices as a model, former U.S. Deputy Secretary of State Stuart E. Eizenstat has called for a compensation fund for victims of human rights abuses, including torture and assassination, as well as a property commission to resolve the claims of Iraqis—tens of thousands of them—whom Saddam's government displaced from their homes.⁷ Prime Minister Maliki himself has called for reparations for Saddam's victims; the same might be extended to civilians who were injured or lost loved ones in more recent violence.

The fourth and fifth practices are apology and forgiveness. Sometimes these follow readily from acknowledgment. The experience of the South African TRC shows that through the public give-and-take of truth commissions, even some of a country's most hardened perpetrators can come to repent. More local forums in East Timor and Rwanda also succeeded in eliciting apologies. Apologies might also have transforming effects on the national level. America could go a long way towards defusing hostilities by apologizing to Iraqis for torture and abuse that U.S. soldiers committed against them, as in the incidents of Abu Ghraib. Apologies for war crimes and crimes against civilians

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by other responsible Iraq leaders could also bring an important measure of healing.

The reciprocal practice of forgiveness is far rarer. But committed leaders can nevertheless encourage it, promote it, and legitimize it. Although South Africa's TRC did not officially mandate forgiveness, Archbishop Tutu proclaimed it, creating a cultural momentum that encouraged many South Africans to practice it. In Christianity, to forgive is to imitate and participate in God's own forgiveness on the Cross. Whether victims should initiate forgiveness or perform it only in response to a prior apology is an issue over which theologians are divided. In Islam, as the Qur'an states many times, God is willing to forgive the sinner who is repentant and commands victims to forgive a wrongdoer who apologizes. Practiced by victims of political injustices, forgiveness can strengthen their dignity by offering them a way to condemn and then overcome the wrongdoer's message of injustice, defuse cycles of revenge, and contribute to building a new political order. In sites of transitional justice around the world, forgiveness seems to occur most often within truth commissions or similar forums where victims' suffering is first acknowledged and perpetrators first apologize. "Iraqi Voices" shows that ordinary Iraqis support forgiveness when they view it as a kind of amnesty that cancels the punishment of top perpetrators.⁸

The sixth practice is accountability.⁹ All over the world, punishment is pitted against forgiveness, truth commissions against trials, reconciliation against retribution. But punishment need not be inimical to reconciliation, as long as it is restorative in its purpose and manner. The idea of "restorative punishment" has indeed been proposed by theologian Christopher B. Marshall, who grounds it in biblical texts and shows how it can contribute to reconciliation.¹⁰ In the context of societies building peace after war and authoritarian injustice, restorative punishment seeks to repair persons, relationships, and political orders by annulling the "standing victory" of the human rights violator's message of injustice, affirming the value of human rights in the new politi-

cal regime, and addressing the disorder in the soul of the wrongdoer himself. For terrible war crimes, perpetrators ought to face lengthy imprisonment. That said, the execution of Saddam Hussein—its fact, but even more so how it was carried out—was disastrous for peacebuilding and reconciliation, only deepening communal divides. But lesser crimes can be dealt with in ways that achieve both accountability and integration with victims and communities. As carried out by the Bush administration, de-Ba'athification (the policy of widely punishing Ba'ath party members by debarring them from public office) was a mistake, eliminating the jobs of those eligible for government service and creating resentment. They and other "lesser criminals" ought to be given amnesty. Here, though, some conditionality ought to be placed on amnesty so that applicants offer testimony to their knowledge of crimes so that victims would be acknowledged and a public record created.

Reconciliation, then, consists of a broad set of interlocking practices. Working together, they carry out what I and my colleagues at the Joan B. Kroc Institute for International Peace Studies at the University of Notre Dame call "strategic peacebuilding." One may persist in thinking reconciliation utopian: how can the U.S. carry out these practices in present circumstances? In fact, it need not be nor ought to be only the U.S. military that promotes reconciliation. Often, the U.S. would do far better to collaborate with or allow autonomy to other organizations. Credibility—and often America's very role in a society's conflict—will often demand that local governments lead these initiatives. Impartiality may well require that international organizations like the United Nations be involved. Expertise might come from nongovernmental organizations like the International Center for Transitional Justice or quasi-governmental organizations like the United States Institute for Peace. The U.S. might sometimes cooperate with such organizations actively but other times will support them only politically or financially. Equally, active cooperation with religious leaders is needed. In countries as diverse as

South Africa, Germany, El Salvador, Chile, Peru, Ireland, and East Timor, religious leaders have been key promoters of reconciliation. In Iraq, Canon Andrew White of the Anglican Church has created an Iraqi Interreligious Initiative that has brought together high level Shiite and Sunni leaders as well as representatives of minority groups, including Iraqi Christians.¹⁰ Separately, Muslim leaders have gathered in several major conferences designed to bring together divided factions.¹¹ Here again, a new president would do well to heed the resources of religion.

Such a broad array of actors, such a broad portfolio of practices—this is not easy optimism, but an approach that can enhance the prospects of an operation that was difficult to begin with. Nor is it an alternative to U.S. military efforts, but rather a framework in which these efforts are both situated and supplemented. The framework itself expresses an alternative concept of justice—reconciliation—whose roots lie in ancient religious traditions and whose branches extend, and offer realism, to a formidable contemporary dilemma.

1. Exceptions are Gary J. Bass, "Just Post Bellum," *Philosophy and Public Affairs* 32, no. 4 (2004); Brian Orend, "Justice after War," *Ethics and International Affairs* 16, no. 1 (2002); and Daniel Philpott, "Reconciliation As Ethic for Responding to Evil in International Relations," in *Constructing Civil War in International Relations* (New York, NY: Palgrave Macmillan, 2008).
2. John R. Donahue, S.J., "The Bible and Catholic Social Teaching: Will This Engagement Lead to Marriage?," in Kenneth R. James, ed., *Modern Catholic Social Teaching: Continuities and Interdependencies* (Washington, DC: Georgetown University Press, 2005), p. 14.
3. See, for example, Cheri M. Bassiani, "Iraq Post-Conflict Justice: A Proposed Comprehensive Plan," revised January 2, 2004.
4. "Iraqi Voices: Attitudes Towards Transitional Justice and Social Reconstruction," an Occasional Paper in a series published by the International Center for Transitional Justice and the Human Rights Center, University of California, Berkeley, May 2004, see pp. 37-40, quote on p. 38.
5. "Iraqi Voices," p. 40; Robert F. Worth, "The Struggle for Iraq: The Past: Planning a Museum to Tell Iraq's Story," *The New York Times*, September 9, 2003, www.nytimes.com.
6. "Iraqi Voices," p. 40.
7. Stuart E. Eizenstat, "Reconciliation, Not Just Reconstruction," *New York Times*, July 4, 2003, www.nytimes.com.
8. "Iraqi Voices," pp. 46-47.
9. Christopher B. Marshall, *Beyond Retribution: A New Testament Vision for Justice, Crime and Punishment* (Grand Rapids, MI: Eerdmans, 2001), pp. 93-144.
10. On the other gatherings, see note 26. On the work of Canon White, Robert McFarlane, "The Iraqi Nation," *The Wall Street Journal* 2007, "Peace Progress in Iraq," *Foundation for Relief and Reconciliation in the Middle East: News and Prayer Letter*, no. 1 (2007).
11. In October 2006, 50 ulama (religious scholars) from both the Sunni and Shiite communities convened under the auspices of the 57-state Organization of the Islamic Conference to develop and issue the Makah Document, a call for reconciliation and an end to violence among Muslims that elicited the approval and endorsement of Prime Minister Maliki and top religious leaders Ali Al-Sistani and Muhammad Sadiq. Then, in December 2006, a "National Reconciliation Conference" brought together major Iraqi government and religious leaders, including Prime Minister Maliki, to attempt to settle differences. In October 2007, the United States Institute of Peace, in partnership with the U.S. military, the State Department, and the United States Agency for International Development, convened a reconciliation conference of Iraqi religious leaders in Manama, Bahrain. On the latter, see "News Release: USIP-Facilitated Iraq Reconciliation Agreement a Key Breakthrough for Stability Effort in South Baghdad's 'Triangle of Death,'" October 19, 2007.