

# **Iraqi constitution draft worries minorities: Sunnis fear marginalization**

by [ABP news](#) in the [September 20, 2005](#) issue

Iraqis will vote October 15 on a proposal for a permanent constitution that many Sunni Muslim leaders, other religious minorities and secularists find deeply troubling.

The drafting committee, made up mainly of Sunni and Shi'ite Muslim Arabs and Kurdish representatives, presented the document to the interim Iraqi National Assembly August 28. The move came just a day after negotiations between Shi'ites and the Kurds and Sunnis who objected to certain parts of the document broke off.

By the next day, news reports said, Sunni leaders in many parts of the nation were vowing to defeat the proposed charter at the polls. If two-thirds majorities in three of the nation's 18 provinces vote to reject the proposal, it will fail.

The presentation of the draft marks the end of months of contentious debates between members of the drafting committee over the roles of Islam and federalism in the nation's governing document. Many Arab Shi'a and Kurds want strong guarantees of autonomy for the regions in which they are majorities. Many Sunnis—who are a minority, but enjoyed much of the nation's power under deposed dictator Saddam Hussein—fear that those guarantees will further marginalize them.

"We have reached a point where this constitution contains the seeds of the division of Iraq," said Mahmoud al-Mashadani, a Sunni member of the drafting committee, according to the *New York Times*.

According to an English translation of the proposed constitution, it cites Islam as a "basic source of legislation." It also decrees that "no law can be passed that contradicts the undisputed rules of Islam."

The document has earned the ire of human rights groups for endangering women's civil liberties. The document has provisions that would allow family-law cases to be

settled in Islamic religious courts instead of civil courts. Women have fewer rights than men in traditional Islamic jurisprudence.

In July, members of the U.S. Commission on International Religious Freedom objected to similar provisions in earlier drafts of the document. At the time, the bipartisan panel's chairman, Michael Cromartie, said, "If these drafts become law, Iraq's new democracy risks being crippled from the outset."

But, speaking on several Sunday morning political talk shows in late August, U.S. Ambassador to Iraq Zalmay Khalilzad said the final draft document will protect individual rights. "Not everyone loves every article of this document. Not everyone is totally satisfied," he said on NBC's *Meet the Press*. "But there is enough in this constitution that meets the basic needs of all communities and for Iraq to move forward."

He also said the document reflects "a new consensus between the universal principles of democracy and human rights, and Iraqi traditions in Islam." If the document does not pass on October 15, then the task of drafting a permanent governing document falls to a new Iraqi National Assembly to be elected in December. -*Associated Baptist Press*