

Sunnis on Constitution Panel: Determined but Impugned

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BAGHDAD, [Iraq](#), Aug. 24 - Saleh Mutlak, the de facto leader of the Sunni Arabs working on Iraq's constitution, sat in the convention center here last week in a cloud of smoke so thick it was hard to read the expression on his face. Two packs of cigarettes with different brand names lay on the white plastic table in front of him - Rothmans and Gauloises - and he alternated between them as he chain-smoked.

"My friends tell me to quit smoking," Mr. Mutlak said in a rare moment of rest between negotiating sessions. "But I could walk outside and be killed." And he laughed.

Behind Mr. Mutlak's black humor was the killing last month of a colleague on the committee, Mijbel Sheik Issa, who was gunned down in Baghdad along with an adviser. But his laughter also pointed to his relentless determination and disregard for obstacles, a drive that has repeatedly ground negotiations among the Kurds, Shiites and Americans, all of whom desperately want a deal on the constitution, to a halt over the last two months.

Late Wednesday night, Mr. Mutlak and his Sunni bloc appeared to be making a last-ditch effort to rewrite provisions in the charter on decentralizing Iraq's government and giving new powers to local provincial councils. The decentralized system, called federalism, is bitterly opposed by the Sunnis, who governed Iraq as a ruling minority until Saddam Hussein's ouster in 2003. A final draft of the constitution is to be presented to the National Assembly on Thursday.

The talks broke down again when the Sunnis drew a hard line on the subject at hand.

"It is of no use to go on meeting with them," said an exasperated Ali al-Dabbagh, a Shiite member of the constitutional committee. "They are not willing to say anything about the federalism except 'No!' "

Mr. Mutlak is one of 15 Sunnis whom American officials insisted on adding to the constitutional committee. The hope was to convince at least some parts of the Sunni-led insurgency that the constitution was legitimate and that they should join the political process rather than continue to fight. But even some Sunni leaders outside the committee now say that what the Americans got was an

enormous thorn in their side that was not representative of most of the Sunni population.

The expansion of the committee immediately led to questions from all sides about whether or not the new Sunni members, including Mr. Mutlak and Mr. Issa, had connections to Mr. Hussein's Baath Party, but the concerns were hastily swept aside in the push to make a deal on the constitution.

"Those who chose them made a big mistake, because they represent the Baath Party ideology, not the Sunni interests," said Sadoon al-Duleimi, a Sunni who is Iraq's defense minister. Mr. Duleimi is a member of perhaps the most powerful tribe in Anbar Province, which contains the restive cities of Falluja and Ramadi and forms the heart of the insurgency.

Mr. Duleimi, speaking in an interview with an American reporter on Wednesday afternoon, expressed little sympathy for the American officials who are left trying to contain the damage caused by the ceaseless discord on the committee. "If they are good or evil," he said of the Sunnis, "that's on your side."

The colorful and urbane Sunnis on the committee have fought with every tool they developed during their decades in power, using their English skills, a public-relations flair and a resolve to advance their agenda.

The accessibility and Westernized veneer of the Sunnis are in stark contrast to the stiff reserve of some of the religious Shiites on the committee, who glare at reporters from beneath their turbans when they dislike a question, and the sometimes tedious single-mindedness with which the Kurds press for their dream of autonomy in the north.

The Sunnis characterize their top priority, derailing federalism, as nothing less than keeping Iraq intact as a nation.

"I think the final goal for all of us is Iraqi unity," said Haseeb Aref, a Sunni member of the committee.

But the list of Sunni causes has seemed only to grow longer as the Shiites and Kurds have asserted nearly every day that a full agreement was at hand. The Sunni members of the committee, who are all secular, remain particularly unhappy with provisions enshrining Islam as a principal source of legislation and granting clerics new powers in matters of family law.

The Sunnis also continue to have reservations about provisions on distributing the nation's oil wealth, which is concentrated in mainly Kurdish and Shiite areas. There is also bitterness over a clause that in effect denounces former Baathists. It is no stretch to say the Sunnis simply do not like the constitution that their compatriots have written.

"Until now, we haven't had any solution for this crisis," said Kamal Hamdoun, a Sunni on the committee who, as the head of the Iraqi Bar Association, has declared that he believes that the current Iraqi government is illegal; he says it should be dissolved because of its maneuvers over the last 10 days to turn the document negotiated by American, Kurdish and Shiite leaders into the official draft constitution.

"We have no deal," Mr. Hamdoun said, "and I think we will never have a deal."

He compared the American, Kurdish and Shiite negotiators to pre-Islamic pagans who created images of their gods by pressing together moist dates. The dates, he said, represent things like women's rights and national unity that those negotiators have repeatedly said are sacred.

"But later, when they feel hungry," Mr. Hamdoun said, laughing uproariously, "they will eat this god."

Easily the most flamboyant of the group is the chain-smoking Mr. Mutlak, a soil scientist who made a fortune under Mr. Hussein's government as an agricultural contractor but says he was expelled from the Baath Party in the 1970's for refusing to support one of Mr. Hussein's murderous purges.

That contention is met with skepticism from Shiites who point out that Mr. Mutlak continues to maintain that Baath Party principles are the still the best available for Iraq. He is also given to ridiculing officials in the current Shiite-led government as ignorant and lacking in the basic skills to run a nation.

Mahmood Othman, a Kurdish member of the constitutional committee, said the Americans should not have brought in negotiators like Mr. Mutlak. But because the Americans forced the issue, there was no alternative but to negotiate with the Sunnis to the bitter end, he said.

"As long as you brought them in and said you are going to do things through consensus," Mr. Othman said, "you have to deal with it."

Dexter Filkins contributed reporting from Baghdad for this article.