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NSC Meeting Notes for November 12, 2003

Attending were President, Powell, Rumsfeld, Pace (for Myers), Card, Rice, VP, Armitage, Gonzalez, Hadley, Scooter Libby, Reuben Jeffery, General Sharp(?) and Wolfowitz.

The meeting began with the President asking about the charts and the weekly status report. He asked Bremer why we were importing kerosene and how we were doing on the oil revenues.

Bremer then proceeded to brief his slides on the new concept of transitional government. He explained that the Sistani *fatwa* of June 26th would require conducting a new census in order to hold elections and would take 15 months before a constitutional convention could even be convened. The President asked whether the Sunni are troubled by Sistani's considerable influence. Bremer said, yes they are, and so should we be. It's one thing when he's talking about the constitution, but what if the next thing is he's complaining about how women dress or something of the kind?

Bremer said the transfer of sovereignty is our key leverage, our "Ace of Spades." Rumsfeld countered that \$20 billion of assistance is not nothing. The President said, also having a bunch of guys in uniform willing to chase down killers is considerable leverage.

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Bremer said that the message in all the polls is that they needs us. But let's be clear, he said, sooner or later there'll be an incident in Sadr City where some American kills an Iraqi child and someone will start telling us to go home.

Powell said the basic point is that we can't really proceed here unless Sistani is onboard. Bremer said, that's right, if we get elections we take the Sistani piece off the table. The President asked whether it also helps with the Sunnis. Bremer said, yes it does. The President asked how Sistani deals with the Sunnis. Bremer replied that he gets along okay. He's really a somewhat reclusive theologian. He issued the *fatwa* because of fear that we would proceed like another MacArthur and dictate their constitution to them.

The President asked how can we make sure that the Governing Council is writing the fundamental law rather than Bremer. Is the Governing Council capable of doing so? Bremer said that there were some good legal experts on the preparatory committee. The President said that our concern has to be about the values that we consider crucial and whether they're adequately protected in the constitution. Bremer said that we have a considerable degree of fundamental agreement on values. The Nasiriyah Statement, he said, enshrines many of the important principles. There's been a lot of work done on basic principles over the last few years.

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The President commented that many Iraqis apparently doubt whether the occupation will actually end. It seems more like a legal change. They will still want to have our troops. Bremer responded that the legal change is an important one. We would be going from an occupation to an invited presence.

Commenting on slide #6, Bremer noted that the most difficult issue is the federal structure, which is a problem with the Kurds. The basis can't be ethnic, it needs to be geographic. The President questioned whether geographic didn't automatically equal ethnic. Bremer responded the Kurds want to bring the three northern provinces together into a Kurdish zone. That would lead to the Shia demanding their zone and then the Sunnis theirs. The President wondered whether the central government couldn't tie things together. Bremer said that leaves the question of the central government. There seems to be a consensus that it will be a parliamentary system, not a presidential one. The President asked again whether a central government couldn't hold things together, especially if it were the key to distributing revenues. The President said, our fundamental objective is that Iraqis should be able to live together peacefully. That creates a germ of freedom that would affect Iran and Syria as well.

The President asked how important the timeline was. Bremer responded they're concerned about interim constitutions because of Saddam Hussein's many changes in the constitution. The best constitution they've had to date is the 1925

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constitution, but that was a British creation. Presumably they don't like the British role in it.

Regarding the timeline, the President thought our first step was supposed to be to clear things with Sistani. Bremer said he was going to try to get Bakr Alloum(???) to approach Sistani this Friday when he goes to services in Najaf. Bremer said it would be sufficient if Sistani simply remains quiet. The President asked what happens if he changes his mind four weeks from now? Will he keep his word?

Powell noted that this is a very ambitious timeline. Nevertheless, we can expect to get some pressure from Tony Blair and others to have some sort of provisional government. Otherwise, we would go for a long time without an Iraqi face. One solution might be to appoint a prime minister.

The President asked whether the ambitious timetable sets us up for failure. Rumsfeld commented that that may be a better outcome than having a less ambitious timeline that slips as well. The President raised the issue of how we explain to the American people that we're going for a more ambitious timetable. It can't be presented as a reaction to people killing Americans. It has to be a reflection of having more confidence in the Governing Council. We said we wouldn't rush and create conditions for failure, so the question will be what has changed.

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Bremer said two things have changed: First, the Governing Council is working better. Secondly, we now have ministers appointed. Armitage added that there has been no sectarian violence. Also, the oil is coming on better than expected.

The President noted that he understood the ministries were functioning rather well. Rumsfeld said, also we have substantial expansion of Iraqi security forces. Rice pointed out that this was also a response to the problem that we can't get a permanent constitution in a satisfactory timeframe. The President wrapped up this discussion by emphasizing the importance that this needs to be a rational decision, based on good planning and facts, not something that we're just rushing into because we're afraid we're failing.

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