IIST Iraq Annual Crisis Report

November 2014

Iraq on the Brink: Unraveling Maliki's Unraveling

Faleh A. Jabar
Renad Mansour
Abir Khaddaj

List of Acronyms

AAH	League of the Righteous (*Asa'ib ahl al-Haq*)
ISCI	Islamic Supreme Council of Iraq
ISF	Iraqi Security Forces
ISIL	Islamic State in Iraq and the Levant
KDP	Kurdistan Democratic Party
KRG	Kurdistan Regional Government
NA	National Alliance (*Tahaluf Watani*) – all Shi'i groups
NC	National Coalition (*Itilaf Watani*) – Hakim/Sadr/Jaafari
PUK	Patriotic Union of Kurdistan
SoL	State of Law (Dawa and allies)

List of Key Individuals

Haider al-Abadi	Prime Minister (Dawa)
Ali al-Adeeb	Dawa leader
Ayad Allawi	Vice President (Wataniya)
Hadi al-Amiri	Head of Badr Corps (Badr)
Massoud Barzani	KRG President (KDP)
Mohammad al-Ghabban	Interior Minister (Badr)
Ammar al-Hakim	Head of ISCI
Tariq al-Hashimi	former VP, in exile
Ibrahim al-Jaafari	Foreign Minister (Dawa)
Adil Abdul-Mahdi	Oil Minister (ISCI)
Nouri al-Maliki	Vice President (Dawa)
Fuad Masoum	Iraqi President (PUK)
Saleh al-Mutlaq	Deputy PM (Arabiya)
Osama al-Nujaifi	Vice President (Muttahidun)
Khaled al-Obaidi	Defense Minister (Muttahidun)
Muqtada al-Sadr	Head of Sadrists
Hussein al-Shahristani	Minister of Education (SoL)
Ali al-Sistani	Shi'i Marja
Jalal Talabani	former Iraqi President (PUK)

Executive Summary

- ISIL is not the disease that has single-handedly caused the country's political tribulations, but rather, a consequence of greater trends that have marred Iraq from its 2003 makeover.

- Two key yet antagonizing trends, the stiffening of ethno-communal fracture lines and the fragmentation of each segment from within, overwhelm the political scene and continue to co-exist in different modalities.

- A third and positive trend is the emergence of trans-communal cooperation between Sadr (Shi'i), Barzani (Kurd), and Allawi (Shi'i centrist with Sunni backing). This group first came together in 2012 vis-à-vis Maliki's hyper-centralization and represents a potential departure from identity politics.

- Pre-election maneuverings revealed tremendous difficulties in rebuilding the old 2010 blocs, which were now shattered in hostile factions. Questions of legitimacy loomed over which groups had the legitimate claim to represent the people in the Sunni, Kurdish, or Shi'i areas.

- Maliki's 2014 election policy was threefold: to magnify the Sunni threat as an insurgency and highlight himself as *the* strongman, to replace consociational (inclusive) government with majoritarian rule via hyper-centralization, and to divide and rule enemies and allies.

- The results of the 2014 elections revealed that Maliki's position was fragile and that the chances of getting wider Shi'i support for SoL was contingent on the NC (Hakim, Sadr, and Jaafari). Ultimately, the Shi'i, the centrists, the Sunni, and the Kurds had enough votes to effect change.

- Maliki's legacy was driven by conservative mindedness, xenophobia, parochial village norms of kinship, communal particularism, an obsession with security, clandestine inwardness, and rigid central control.

- The new PM Haider al-Abadi's *discontinuations* from his predecessor include: the routineizing of leadership, the instatement of civilian-led security sector reforms, the reaching out to disenfranchised areas and local leaders, the acknowledgement that Iraq's security has deteriorated, and the expansion of cooperation with the U.S.

- Abadi's *continuations* include: the endurance of Dawa rule, the influence of now-VP Maliki, the persistence of inter- and intra-political wrangling, the weakness of a parliament prone to 'absenteeship', and the 'divide and rule' of the Kurds.

- Curbing Maliki's power remains a priority for Abadi. This will likely lead to a split, already emerging, in the Dawa Party. Maliki has on occasion sought to delegitimize his successor.

- The presence of para-military formations is a recipe for post-ISIL chaos. Militias, be it the Shi'i popular mobilization forces, the Anbar Sunni Tribal Forces, or the National Guard, represent a shadow security apparatus to the fledgling ISF.

- New bylaws to regulate the process of policy and decision-making have been offered but not yet delivered. This is a pivotal piece for the smooth running of cabinet and a basic instrument to institutionalized national reconciliation.

- Shi'i-Sunni relations, marred by mistrust, misgivings, and traumatic memory (real or imagined), are a strategic challenge. Mending these relations is a precondition to the political-military strategy of defeating ISIL.

- A second leg in national reconciliation is normalizing relations with the Kurds on a host of issues, most importantly the federal budget, oil and gas legislation, and contested territories.

- Re-establishing parliament and the independent commissions (Integrity, Electoral, Central Bank) as a check on the executive must come from the leaders of parliamentary blocs.

Introduction

With the Islamic State of Iraq and the Levant (ISIL)'s lightning swift takeover of Fallujah, then Mosul, and other areas, Iraq's security and political structures have been shocked, leaving its future far from certain. ISIL, however, is not the disease that has single-handedly caused the country's political tribulations, but rather, a consequence of greater trends that have marred the country from its 2003 makeover. Iraq's political and security crisis has unfolded before and throughout the 2014 national elections and subsequent political maneuverings. The replacement of Prime Minister Nouri al-Maliki with Haider al-Abadi may offer, but not necessarily deliver, a way out of the crisis, if and when the legacy of the past decade and the challenges of the present are thoroughly tackled. This window may thus provide an opportunity to salvage the political and security situation and reverse the unraveling of mechanisms that have lead to the present-day crisis.

This report will comprehensively examine the following:

1. the general dynamics of ethno-communal segmentation and the fragmentation of ethno-communal segments as a general framework for understanding and assessing the current crisis of governance and legitimacy, above all the failures in the political, economic, and security spheres;

2. the former PM Maliki's electoral strategy and the counter electoral strategies by oppositional blocs;

3. the results of the 2014 general elections;

4. the post-election maneuverings and the eventual selection of a new PM;

5. the legacy of Maliki;

6. the chances of continuity and discontinuity under the new PM Abadi; and

7. the challenges facing Iraq in general and PM Abadi in particular.

Dynamics of Segmentation, Fragmentation of Segments

The 2014 national elections and change of hands at the top took place in a tense atmosphere marked by two antagonistic forces: the stiffening of segmented ethno-communal fracture lines and the fragmentation of each segment from within. This

paradox, which stems from the disruption of nation- and state-building mechanisms and contests over supremacy, is the major driver of conflict. The result is a conflictual legacy that left Iraq's society torn apart and the fragile structures of power over-centralized and personalized. Now, the major question is whether or not the political order can be reconstructed under such conditions.

Building a unifying communal identity as an instrument of mass mobilization thrives on external hazards stemming from rival communities, thus creating an "Other", as such, is part of the development of a unified community, imagined or real (compare Tables 3 and 2 to Table 1). It also triggers internal contests and almost invariably tends to burry internal schisms in each segment. However, *dormant divisions* of class antagonism, ideological conflict, rival city solidarities, and sundry political interests, including individual rivalries among leaders, who seem to be suspended in the struggle for power against rival segments, are enlivened by internal contest over leadership of the community. The two trends, that of communal cohesion, and that of communal inner fragmentation, overwhelm the scene and continue to co-exist in different modalities of changing proportions. There are several factors at work herein.

First, the shaky Shi'i-Kurdish alliances of 2003-2005 marginalized the Sunni groups and for the first time in recent memory helped facilitate a Sunni sense of victimhood and oppression (*mathloomiya*) and built a communal identity amongst the Sunnis akin to that of the Shi'is. [2] The remedies for this, as contrived by U.S. General David Petraeus in 2007/8 sought to alleviate the spread of militarized sectarianism and ethno-communal cleavages, in order to cement a shaky national framework. Under Maliki's second term, however, these and other inclusive devices were blatantly unraveled and reversed.

Second, the nascent and fragile institutional division of power enabled the Dawa party, and its leader PM Maliki, to easily and steadily monopolize, over-centralize and ultimately personalize policy and decision making, thereby reviving the latent authoritarian germs in the system. This, however, soon clashed with the consociational (broad coalition) nature of the cabinet, which served as the decentralized and federal structure of the new polity. It invited opposition from centrist and Sunni partners in the cabinet, the KRG, and from all nine Arabic provincial governorates, adding further elements to the instability.

---

2 See Fanar Haddad, *Sectarianism in Iraq: Antagonistic Visions of Unity* (New York: Oxford University Press, 2011).

Third, authoritarian rule under Maliki was not only geared against Kurd and Sunni, but also against Shi'i allies. The hegemonic logic stemmed from the seeds of the hegemonic single-party system.

Fourth, opposition ran deep and wide in search for a benign, constitutional, all-inclusive, participatory, federal and decentralized political order. The discourse was largely political but ran along sectarian lines among Sunni groups and Dawa inner circles.

Hence inter- and intra-sectarian divisions were aggravated during the run-up to elections. The former geared to mobilize behind one-leader-one-party and the latter to prevent it. Hyper fragmentation was, however, the order of the day. And nowhere was this more evident than in 2014: more than 9000 candidates affiliated to more than 270 electoral entities, allied in 36 blocs competed for the 328 seats in the Iraqi Council of Representatives, or national assembly. The Shi'i Islamic space had three major parties and some 8 splinter groups, with Maliki's State of the Law bloc (SoL) consisting of three different parties. The Kurds had four major parties and three small groups. The Sunnis, perhaps, had the largest and most peculiar fragments, running into more than five splinters in each Sunni province (consult Table 1). A small centrist group also emerged under Ayad Allawi, the former leader of *Iraqiya*, now re-named *Wataniya* or the Patriotic (consult Tables 1a and 1b).

Maliki's Policies

Maliki's strategy in 2014 was shaped by successes in fragmenting the Sunnis allied to Allawi's *Iraqiya* front and also setbacks during the 2013 provincial elections (consult Table 5). Together with two allies, Amiri's Badr Corp and Yaqubi's Fadhila party, his SoL hardly managed to secure more than 97 out of the 447 seats in the local assemblies in Arab provinces in 2013. This was a far cry from winning some 157 seats in the 2009 provincial elections (consult Table 4), which featured a much stronger Dawa and Maliki, who ran single-handed then; yet still managed to directly control seven out of the nine provincial councils. This time, in 2013, SoL was battered, but not yet defeated.

In contrast, the other major Shi'i leaders, Muqtada al-Sadr and Ammar al-Hakim, who performed poorly in the provincial elections in 2009, fared much better in 2013. They won 58 and 61 seats respectively, forming a common front that unseated Dawa's reign in several provinces. Maliki's 'strong man' image, of the

'Mukhtar' or the 'Chosen', which he had successfully projected in 2009 vis-à-vis *Iraqiya* and its Sunni allies, in 2012 vis-à-vis the Kurds, and in 2012 vis-à-vis the cross-ethnic Sadr-Barzani-Allawi no-confidence front, was now under threat.

Maliki therefore devised a new "recovery strategy" to address the potential loss in the coming 2014 national elections. This contrived of the following:

1. magnifying the *'Sunni' threat* and escalating military confrontation with the "insurgent" provinces of Anbar, and later Mosul and Salahadeen;
2. replacing 'consociational' government, as envisioned for post-2003 Iraq, by majority government via hyper-centralization; and
3. dividing and ruling opponents near and far.

The *first* strategy, magnifying the *'Sunni' threat*, was symbolized by the PM's military action against demonstrations in Anbar, Mosul and other areas. This response formed a crucial part of Maliki's legacy: to use the Iraqi Security Forces (ISF) to squash protesters, who were portrayed more as insurgents, in Sunni regions. It was opposed by regional state and non-state actors, namely Saudi Arabia and Qatar, and more violently ISIL, which began to extend its operations from Syria to Fallujah and then Mosul in Iraq in 2014. Long before the fall of Mosul, Maliki's official spokesmen advised the public in earnest that "insurgents", now becoming a synonym of Sunnis, were heavily armed and could easily invade Baghdad.

The inflated security threat caused public alarm in Shi'i communities and embarrassed both Sadr and Hakim, who publicly expressed fears that the military action, in substance and timing, was a political maneuver to influence the outcome of coming elections. The two Shi'i opponents, although not united themselves, not only expressed concern against the sectarian discourse by protestors, but also against the deployment of the military against their own civilian citizens. Maliki's propaganda machine depicted both figures as "bad" Shi'is who were squandering the Shi'i victory and thus facilitating an existential threat to their newfound reign in Iraq. Sadr, specifically, was described as being "politically immature". The notion of the Sunni threat, at a time when Shi'is were firmly in the saddle commanding an alleged one million-man armed force and possessing around 150 USD billion in annual oil revenues, required a complementary notion of the "bad" or "weak" Shi'is, such as Sadr and Hakim, who could potentially risk their post-2003 successful project. This strategy, then, is one and the same: an instrument

fomenting sectarianism whilst also dividing the home front, or any common Shi'i space that existed.

The *second* policy in Maliki's "recovery strategy" is both naive and dangerous: *majoritarian rule*. Maliki loathed the consociational (*Tawafuqiya*) form of government, a term signifying a government inclusive of representatives of the three major ethnic and sectarian communities, i.e. a broad, coalition government, meant to run nation-building mechanisms along broad participatory and integrative lines. Maliki's mistrust of Sunni politicians, his thinly hidden bitterness with the Kurds, and his disregard for Shi'i allies, all stemmed from the narrow understanding of, and inability to construct, national consensus.

Most Shi'i politicians have a very unique view of democracy, as purely majority rule, and majority in this lexicon has a demographic meaning, insofar as 'demography is democracy'.[3] In Maliki's case, there is an added element of his relative success as the largest single Shi'i party. This defined what was perceived to be "majoritarian rule". Dawa's onslaught against consociationalism began as early as 2009, but more vigorously from 2013-4, when all failures, military, economic or otherwise, were blamed on the "obstacle" of consociationalism.

For Maliki, his strongman image of the *Moktar* could come in full fledge if and when 'consociational' handicaps were removed. The resolution of the problem is majority rule, the basic principle of all democracies, under a strong central (i.e. authoritarian) government. This policy meant both removing key checks, viewed rather as "threats" against the centralized-personal power, and marginalizing opponents.[4]

Indeed, majoritiarian or consociational rule nothwithstanding, a coalition government will always require 165 votes in the parliament, a threshold that has never been reached by any community thus far. It therefore remains the case that the government will be multi-party, and that policy and decision-making will

---

3 To borrow a phrase coined by Rend al-Rahim.

4 The hyper-centralization move was best symbolized by the creation of Office of the Commander in Chief, which removed both the Defense Minister and the Chief of Staff of the Military from running the military. This also included, among many others, the incarceration of the head of the Electoral Commission (IHEC) Faraj al-Haidari to ensure the prohibition of provinces from becoming legally decentralized "regions" akin to that of the KRG, the removal of the Governor of the Central Bank Sinan Shabibi to use currency reserves freely, and the attainment of the Integrity Commission from Rahim al-Ugaili, to protect his protégés from investigations and to dictate the terms of "anti-corruption".

require the consent of multiple partners in the government (cabinet and parliament).

The *third* notion was the activation of the principle of "divide and rule" by splitting foes and even close allies as well, then manipulating the electoral statutes and machinery to prevent the emergence of a strong Shi'i rival.

The hegemonic policies pursued by PM Nuri Maliki, since 2006, and more aggressively since 2011, contributed to the fragmentation of society. The logic of Maliki's Dawa hegemony ran as follows: in the name of Iraqis, the Shi'i majority rules; in the name of Shi'i majority, the Dawa rules; in the name of the Dawa, Maliki, his next of kin and his trusted protégés, rule.

The onslaught on political foes and rivals, actual or potential, was multi-faceted. In 2010, Ayad Allawi and his constituent groups, which had opted for a slice of the national pie rather than remaining united, were targeted, shattering al-Iraqyiya into fragments. Ex-vice president Tariq Hashimi was sentenced to death in absentia and fled to Turkey; deputy PM Salih Mutlaq was suspended for months on charges of slandering Maliki, and although he was re-admitted he was nonetheless publically humiliated; Issawi was targeted for alleged involvement in terrorism when a swat-esque task force raided his home in Baghdad; and the Shi'i members of Iraqiya, moreover, were hunted down, and pressured into disavowing their bloc. This caused both the resignation of individuals and eventually the splintering of Iraqiya into two groups.

The second target was Sadr, who was an outspoken critic of both Maliki and Iranian influence in Iraq. A large chunk of his former loyalist fighters moved to a new group called *Asa'ib ahl al-Haq* (the League for Righteousness). This group was first co-opted by Iran during the Charge of the Knights campaign (2008-9), then brought on as an Iranian proxy, then patronized by Maliki, and finally re-deployed against their old mentor, Sadr.

The third target was Hakim, the leader of the Islamic Supreme Council of Iraq (ISCI). He was a moderate compared to Sadr in terms of rhetoric. Nonetheless, his Badr Corps, led by Hadi al-Amiri, was also co-opted by Maliki, who would make Amiri his Minister of Transportation.

The fourth target was the Kurds. Overtly or covertly, Maliki had a role in widening divisions among the Kurds. The no-vote effort to unseat Maliki in 2012, ironically initiated by President Talibani of the PUK, was also aborted by Talibani.

His change of heart was the result of tremendous pressure by Iran, conveyed as it was, in a thinly veiled threat, by Qasim Sulaimani (Commander of Quds Forces of the Iranian Pasdaran, i.e. the Revolutionary Guard). Sulaimani, a prominent Iranian leader responsible for the Iraqi (and Syrian) dossier, secretly met with Talibani and ended the no-confidence move that threatened Maliki.[5] The PUK, allied closer to Iran, was an effective vehicle to checking Barzani's KDP and its threat of forming a legitimate opposition against Maliki.

The political environment of Iraq in 2014 was defined by these three specific policies, the magnification of the Sunni threat and thus the alienation of those citizens in Anbar, Ninewa, and elsewhere, the emphasis on majoritarian rule, that really meant the rule of Maliki and his inner circle achieved through the medium of hyper-centralization, and the division and rule over of Shi'i, Sunni, and Kurdish factions.

In summary, if the grand communal blocs were the result of a shift from ideological to identity politics, which required a re-arrangement of nation-building, then the nature of the processes of nation-building (between 2003-2014) in Iraq activated the dormant drivers of conflict within each community and triggered new ones, leading to a multiplicity of contenders. The federal and decentralized structure of the new political order, added impetus to divisions that already existed between Talibani-Barzani, or between Talabani's PUK and the emerging Goran Movement, or between native Shi'is such as Sadr and diaspora Shi'i groups such as Maliki or Jaafari from Dawa or Hakim from ISCI. Within each group, moreover, fracture lines emerged, dividing the Sadrist into two segments, splintering Yaqubi's Fadhila, and even rupturing Dawa into two factions.

The Lead-Up to the 2014 Elections: A Fragmented Opposition to the "Mukhtar"

Maliki's image as the "*Mukhtar*", which was the underlying legitimizer of his two-term premiership, was questioned with the looming military confrontation in the Anbar province. At the end of 2013, the situation escalated into a full-fledged military operation and further deteriorated with the resurgence of AQI in the form of a new group, ISIL, which took over control of the Fallujah and Ramadi townships and split the local communities. This was overshadowed by the ongoing civil action in these and other towns.

---

5 Interviews with presidential advisors, 2012-2013.

The timing of onslaught and the concomitant of sectarian agitation on both sides of the conflict soured the atmosphere, and brought back the dark memories of the sectarian war (2006-8). While oppositional groups accused the federal government of anti-Sunni sectarianism, the discourse of the federal government under Maliki combined anti-Sunnism with the perils of terrorism and foreign intervention, in particular Saudi Arabia and Qatar, thereby equating terrorism with Sunnism.

It was under this environment that the 2014 elections were to take place. The old blocs of 2010, however, were now reorganizing along the fragmented factions. The old *Iraqiya* front that had been victorious in 2010 was now a shadow of its former self. Allawi's *Wataniya* now acted independently, distancing itself from old partners, Mutlaq, Hashimi and Nujaifi, after it had sustained major losses in former Shi'i constituencies in Basra, Babylon, and Misan. These represented some 18 MPs that had left al-Iraqiya during the 2012 no-confidence crisis. Now, Allawi opted for a broader, pan-ethnic and pan-communal approach. His meetings with both Sadr and Barzani signaled a new direction in building this broad, pan-communal, anti-Maliki front. If this front materialized at any moment, it would have the potential to attract Hakim and some Sunni factions (Nujaifi and Mutlaq), or it would increase their bargaining capacity vis-à-vis any other contender.

While professing their opposition to Maliki, Nujaifi and Mutlaq failed to build any meaningful cooperation. Nujaifi's bid to 'represent the Sunnis', distanced himself from Mutlaq and Allawi, whose 'nationalist discourse' contradicted the communal idiom deployed by Nujaifi. Their opposition to Maliki, ironically, did not bring them anywhere closer to each other, most probably because of their personal rivalry, as well as by their ideological differences, as mentioned above. Although the potential for rapprochement was there, the local winners in the provincial and then national elections were to be stuck amidst a group of representatives quarrelling over personal rivalries and without a unified front to institutionally oppose Maliki.

On the Kurdish front, Masoud Barzani also remained adamant against a third term for Maliki. But the Kurdish house was not in order and more divided than in previous election years. Inter- and intra-party cleavages were apparent and more problematic with the rise of Goran and its criticisms of the KDP-PUK dynasty. From the September 2013 Kurdish elections to July 2014, Nechirvan Barzani failed both to meet Goran's demand to have a greater share in the cabinet relative to their weight as the second parliamentary bloc in size and to satisfy the PUK's

demand to have a slot in the cabinet equal to that of KDP, as stipulated in their old Strategic Agreement. Moreover, whilst the KDP remained most vocal against Maliki, the PUK's relationship with Iran, best exemplified when Talabani saved Maliki's premiership in 2012, was a serious concern leading to the elections. The question, then, was whether the three-faced Kurdistan front could hold firmly united against Maliki in future negotiations, and withstand external meddling from Iran.

Lastly, there was the largest front, the National Allaince, *Tahaluf Watani* (NA), which was the wider Shi'i front that incorporated both Maliki's SoL and the narrower National Coalition, *Itilaf Watani*, (NC), consisting of Hakim, Sadr and Jaafari. In reality, however, the NA only existed on paper. While Jaafari had been acting more like a pro-Maliki "Trojan horse" within the NC and NA, a growing Sadr-Hakim cooperation, which culminated in the ousting of Maliki from several strongholds in the2013 provincial elections, was still present.

Sadr opted for a head-on collision course against Maliki, personally targeting the PM, accusing him of being a dictator, a menace to the Shi'i community who was dangerously alienating the Kurds and the Sunnis. Hakim was more cautious in his rhetoric, focusing on "inefficiency", "corruption" and the "lack of services", themes that were shared across the electoral spectrum. Both Sadr and Hakim, however, were concerned that the rising tide of violence and sectarian agitation would play in the hands of Maliki as the "*mukhtar*", and consequently weaken their positions.

Sadr was resolved to disclosing these concerns in public, whilst Hakim buried them under a thick layer of moderate talk and "administrative'" criticism. Unlike Sadr, his organization suffered from what many observers called an "acute sense of no-self-confidence". This was relatively alleviated by the progress Hakim had made in the 2013 provincial elections. Perhaps that is why Baqir Solagh, an outstanding figure in the Hakim group, called on Sunnis to build a single, united bloc, ala the Kurds, perhaps to facilitate his engagement with two anti-Maliki factions and thus end up with a broad and formidable alliance in favour of Hakim.

Pre-elections manoeuvring also involved external actors, particularly Iran. Qassem Sulaimani, the commander of the Quds Corps and strongman in the Iranian Revolutionary Guard, visited Baghdad and Najaf (March and April), with a major concern to mend Shi'i-Shi'i, and Shi'i-Kurdish (PUK/Goran) relations, in order to keep a solid Shi'i-Islamist front with a measure of Kurdish support that

may secure Maliki's third term. Although no official records disclose what went behind closed doors, it has been confided that Sulaimani stressed Iran's direct position as follows: first, Iran would support the largest Shi'i bloc in parliament (i.e. Dawa as it turned out), and second, Iran had *no personal preference*, Maliki or otherwise, for who the leader would be.[6] This position was interpreted by Sadr, Hakim and other blocs as an endorsement of a government with or without Maliki, but definitely with the Dawa party on board. Sulaimani's meeting with a Dawa strongman, Tariq Najim, for example, came as a strong message along this line: that the person to be PM, from Tehran's perspective, was not fixed.

Lastly, the role played by the supreme Shi'i religious authority, Grand Ayatollah Ali Sistani, is noteworthy. The leaders of Friday prayers in Najaf and Karbala, mostly representatives of the *marjaiya*, directly criticized the government on accounts of inefficiency, corruption and failure to keep security or national unity. Sistani's central office, moreover, urged voters to choose those who serve the public interests. Other grand ayatollahs, Nujaifi in particular, were not as diplomatic in their vocal criticisms. The rift between grand pontiffs in Najaf and the lay Shi'i leaders in Baghdad has indeed become a major issue in Iraqi society. Its political impact on the voting patterns, however, was minimal.

Amidst the pre-election hype, Maliki sought to manipulate the electoral institutions. Not only did he restructure the IHEC in terms of leadership and branch offices, but he targeted and modified the Saint-Lague Method, which is used to guarantee a measure of representation for small blocs. He moved the divisor from 1 to 1.6, meaning that bigger blocs would take the seats of smaller blocs. Following a humbling in the provincial elections of 2013, Maliki created a host of small parties in order to 'fish and disperse' the votes, as one insider put it.[7] Two old and several new small entities emerged from this strategy. Allies, who were separately employed in the electoral lists to follow this logical equation, included: Hussein Shahristani (ex Oil Minister and Maliki advisor), Izzat Shahbandar (Maliki's advisor), Sami al-Askari (Maliki advisor), Muwafaq al-Rubae (ex-security advisor), Sadiqun (of AAH), and Fadhil Dabbas, who is a Shi'i businessman close to Maliki and who constructed a Shi'i-Sunni list to attract pro-Maliki Sunnis in the Ninewa, Anbar and Salahadeen provinces. According to

---

6 Interviews with a ministerial adviser, February-April 2014.
7 Interview with IHEC officials and official advisers, December 2013.

Rubaae, the reason for this strategy was to secure Maliki some 120-140 seats single-handedly, with an array of smaller allies in Shi'i and Sunni regions.[8]

Maliki's scenario, as confided by his aids, was this: Dawa and its new satellites, along with the Kurdish Goran Party, some pragmatic Sunnis, and the Arabs and Turkmen of Kirkuk, would comfortably secure a third term. This formula, they contended, would bring Talabani or Barzani down, and marginalize a seemingly passive Hakim.

These pre-election maneuverings reveal the tremendous difficulties in rebuilding the old blocs, which were now shattered in hostile factions. More critically, the question of claim to representation, that is, which groups had the legitimate claim to represent the people, in the Sunni, Kurdish, or Shi'i areas, became an open-ended question. What was clear, however, was that the public was growing dissatisfied with the disunity and ineffectiveness of leaders in Baghdad

The 2014 National Elections

The IHEC announced the results on 20 May, roughly four weeks after the ballot. Although there was no shortage of irregularities[9], the results reflected the hyper-fragmentation of old segmentary factions, with no single bloc having any clear majority in the national assembly. Hyper-fragmentation of rivals and foes, yearned for by Maliki to disperse them, was now an insurmountable obstacle for him and his rivals.

The major electoral currents were divided into six columns, to clarify the detailed polarization with its boundaries and potential combinations (consult Table 1a and b).

Against expectations of securing between 120-140 seats, SoL received 92 seats. This was only three more than in 2010, when SoL ran single-handed. Now SoL included two additional allies and Dawa itself only received some 52 out of the 92

---

8 Interview with Muwafaq Rubae in Bahrain, December 2013.
9 Among the most flagrant cases was reportedly the fate of some 15 percent of electoral identity cards, which the IHEC failed to deliver to eligible voters. Conflicting reports seem to suggest part of these IDs had been manipulated to double the votes. Another case, reported by the agents of the Sadrists, was the discrepancy between the actual turnout of voters in the greater Baghdad area registered at 22 percent, and the turnout officially published thereafter at more than 80 percent. The difference is believed to be the result of manipulation. A third massive incident is the fact that more than 1000 IHEC officers were sacked right after the elections for alleged fraud. The votes in a dozen or so stations were cancelled accordingly.

seats. Clearly, the allies, who received the rest, grew at Dawa's (and Maliki's) expense. The results in 2014, then, replicated the results from the 2013 provincial elections.[10]

Maliki's position was thus fragile. Two political and constitutional barriers stood in the way: first, to secure enough Shi'i vote within the National Alliance (NA), which includes SoL, Hakim, Sadr and Jaafari groups, and second, to win a two-third majority vote in the national assembly in the first round. Maliki, by his own design, unwittingly created a third barrier for himself: to keep his SoL united behind him. To achieve that he had to keep the goodwill of his two allies in SoL, Shahristani and Amiri, whose self-interests and susceptibility to pressures were proving destructive. (Consult the y*ellow column* in Table 1a and 1b).

The chances of getting wider Shi'i support for SoL was contingent on the positions held by the National Coalition (NC), a Shi'i front inclusive of Hakim, Sadr and Jaafari, and presided over by the latter. Sadr's anti-Maliki position, as discussed above, was not only political but also personal. At times this included verbal exchanges of abuse. Ironically, in 2010, Sadr was the king-maker who saved Maliki, a move that is hardly repeatable in the present-day. In 2010, Sadr was in exile, his military was defeated, his followers were being hunted down, and he was facing significant Iranian pressure. Today, Sadr is no longer in such a weak position, and neither, for that matter, is Hakim. Their opposition to Maliki and their approach to the problems of Shi'i unity differ in degree and direction. Sadr combines more forcefully an Iraqi-Shi'i identity, plus a higher latitude of autonomy vis-à-vis regional pressures. Both leaders, however, feared marginalization should Maliki have won a third term. Jaafari's position, on the other hand, might have seemed ambivalent, or perhaps obscure, as his awareness of Maliki's difficulties, somewhat similar to his own premiership in 2006, were crucial in reviving his own personal ambitions, and hardening his support for the removal of his old comrade.

The green column of Table 1 represents the three NC leaders, which command 64 seats and represent a crucial slot.

---

10 Rigging, fixing, threatening and other irregularities notwithstanding, in the 2013 provincial elections, Maliki's SoL scored 97 out of 447 seats on provincial councils, going down from 157 seats won in the 2009 provincial ballot. In 2009, moreover, he ran single-handed. In 2013, he was allied to two additional Shi'i outfits.

There remains the centrist bloc, formed of three groups, with Ayad Allawi at its heart. While the bloc is weak (35 seats), its strong point is the pre-election alliance with Barzani and Sadr. This cross-ethnic trio's strong point is commonality of political aim: displacing Maliki. Their weak point is the lack of agreement on a host of issues dividing Kurds from Arabs.

The Sunni bloc altogether won 43 seats, a considerable force if united under strong leadership. Nujaifi was poised to assume that role. Again, their opposition to Maliki and rapprochement with the Kurds constituted their strongest point. Their communal approach, however, represented their weakest, despite the fact that they produced a 19 point platform to voice Sunni grievances. The latter addresses local and particular demands, but fails to tackle the basic institutional issues.

Lastly, the Kurds command 64 seats altogether and strongly seem united in the face of Maliki's professed hostile measures and attitude. The absence of Talibani helped strengthen the unifying role Barzani played in this regard. In terms of external relations, the Kurdish front was expected to remain somewhat unified as negotiations with Baghdad on oil, contested territories, and other issues become the focus.

The Shi'i, the centrists, the Sunni and the Kurdish oppositional blocs had more than enough votes to effect change. The centrist, Sunni and Kurdish oppositions, (later combined with the military debacle in Mosul), have had a decisive impact on the Shi'i faction's oppositional to Maliki. All these factors impacted the trajectory of polarization, the manoeuvrings and the counter-manoeuvrings that followed.

Post-Election Maneuvering

As the landscape in the national assembly took shape, the contest and the drivers of conflict, along with international and regional pressure, revolved on single major political issue: *whether or not the incumbent PM Nouri al-Maliki should continue to serve a third term in office.*

The ease and speed with which Iraq's new President Fuad Masum (a Kurd from the PUK) and the new Parliamentary Speaker Saleem Juboori (a Sunni from the Diyala province) were elected by a two-third majority in parliament, could not camouflage the fact that the real battle was yet to come. Both the President and the Speaker of the parliament have limited formal power, their jurisdiction being confined to procedural matters, such as the nomination of the PM or defining the

legislative agenda, respectively. It is the PM's office that holds massive executive power.

The candidacy for premiership required parliamentary recognition for the largest bloc and for a candidate as being the largest electoral entity. Thus, the battle raged first within the NC, between Hakim, Sadr, and Jaafari. The leaders were caught between two limits: first, to avoid being seen as a divider of the broader Shi'i front and second, to avoid antagonizing the SoL in general and Dawa in particular. The latter's Achilles' heel was the nomination of a rival candidate from within the Dawa, as a first step to lure Maliki's allies in the SoL, Shahristani in particular, out of SoL's boat and to negotiate their way as independent parliamentary entities.

Maliki submitted a request to the Speaker of the parliament to get recognition for the SoL as the largest single entity in the assembly. Jaafari, in his capacity as the chairmen of the NC, submitted a counter letter to recognize the NA as the largest bloc. The two sundry applications signaled the war going on in the corridors of the divided Shi'i alliance.

The eventual nomination of a Dawa figure, Haidar Abadi rather than Maliki, was the *coup accompli* to divide SoL. But the official acceptance of the candidacy by the president and the assembly lent the move a stronger position. As he had done in the past, Maliki resorted to the constitutional court to thwart the process as unconstitutional. The quorum at the constitutional court, this time, was not met as several members, despite the pivotal time, were surprising "on vacation". By intent or otherwise, the delay gave room for developments in the country to take their toll, and allowed the Shi'i anti-Maliki front to gain strength.

The fall of Mosul to ISIL delivered a heavy blow to Maliki's 'strong-man' (*al-mukhtar*) image, and reinforced the need for a unifying figure. The seemingly shaky strategic outlook was kept together by the image of the PM as a strongman – when that image was squandered on 8 June as ISIL invaded Iraq's second largest city of Mosul, however, the dominos began to fall and the strategies that had maintained his premiership began to unravel.

A group of Shi'i leaders, including Dawa figures, brought the influence of the highest religious authority in Najaf, Sistani, on the process. Sistani's anti-Maliki position was well-known, and his *Fatwa* was crystal clear: 'Iraq is in need of a *new PM* who could restore national unity. On the basis of the principle of emulation, devout Shi'is should submit to the imperatives of the fatwa.' Now

Dawa and other leaders, notably Shahristani, could ground their actions from a legal standpoint.

This development within Shi'i political ranks would have been inconceivable without the broad anti-Maliki front that had brought almost the entire spectrum of political forces into opposition.

Two additional factors were in the making. First, through Qassim Sulaimani, Iran made continuous efforts to convince Maliki to step down. Insiders confided how Sulaimani expressed his frustration and bewilderment at Maliki's insensitive, obstinate, and inflexible attitude. The nomination of Abadi was in tandem with Iran's objectives, to keep the Shi'i front united, and to secure the continuation of the Dawa party in power.

Second, the U.S. position was also instrumental. In a clear signal, Washington reiterated that any involvement in the war against terrorism, against ISIL in particular, required a national unity government, a clear signal of their support for the removal of Maliki. Ultimately, the embattled PM had narrower room to maneuver, and thus was forced to withdraw to save face.

Maliki and his legacy in Post-2003 Iraq

Maliki's eventual legacy as Iraq's 74th Prime Minister was largely shaped by his background, upbringing and specific experiences. Born in the Janaja village, he spent his formative years in the small township of Tuwairij, renowned for its ragging polarization between religious conservatism and leftist-oriented secularism, its narrow world of kinship and tribal ideology, and its xenophobic outlook, among many other rural tendencies, which shaped much of his parochial ethos.

When Maliki joined Dawa in 1967, the party was mutating from the universalist-Islamist movement it had been from its foundation in 1959 to a particularist-communal group in reaction to perceived anti-Shi'i policies under the reign of the Arif Brothers, from November 1963 to July 1968. The Dawa party was more caste-like, rather than a well-structured modern party, leaving minimal room for ambitious upward mobility. The 1979 Revolution in Iran generated massive euphoria and an opportunity that helped Dawa reinvent itself as an Islamist party. It was not organized along ideological-bureaucratic norms of centralism, but rather had a specialized organ of sustained grassroots networks and public activity, inviting the wrath of the Ba'ath regime. Activists, like Maliki, were hunted down

and those who survived prosecution fled the country. Maliki moved to Iran in 1983, but was eventually expelled and forced to return to Syria, a haven for Iraqi opposition members. His life revolved around underground party politics and he was personally shrouded in relative obscurity. Taking charge of the Dawa's "security organ" may have added to his xenophobia, great measure of obsession with security, mistrust, and stronger appetite for unquestionable control. Although not much is known about his relations with Syrian authorities and intelligence services, he hardly went beyond advancing in the Dawa party. Lacking political instincts to grasp the impact of Iraq-Iran war on the Dawa cadres in Syria, where Arabism was so strong, Maliki failed to anticipate or prevent a split in the ranks by a large number of leading cadres who formed a new outfit: *Kawadir al-Dawa*, in late 1980s. Among the many political grievances, the rigid centralist control was in question. Another setback was his, and Ibrahim Jaafari's, failure to garner recognition by the new religious authority, the marjaeya, in Najaf under Sistani in early 1990s. Unable to establish himself as an envoy of any religious authority, in Najaf, Teheran or Beirut (Sistan, Khaminai, or Muhamad Hussain Fadhlulah respectively), Maliki was left with a strong sense of frustration and perhaps disdain for the overarching religious authority. This irritation would become a defining aspect of his premiership.

Upon his return to Baghdad via Erbil in 2003, Maliki was perceived by almost all the newly established players in Baghdad as a relatively obscure and weak actor. The best office he received was mere membership of the Committee of De-Baathification, where he could deploy whatever security skills to excel, exhibiting a ruthless and unwavering sense of vendetta against his old secularist foes, with a strong sense of sectarian-minded particularism to set Shi'i Ba'thists aside for rehabilitation.

Eventually, Jaafari's controversial policies throughout the transitional phase, 2005-2006, offered an opportunity for a replacement from the relatively 'weak' Dawa party, vis-à-vis the two giants at the time, namely Hakim and Sadr. The notion of a weaker leader with non-Iranian connections, put forward as it were by U.S. Ambassador Zalmay Khalilzad, won circulation,[11] and Maliki could override

---

11 According to several Kurdish leaders, Khalilzad argued that Maliki resided in Damascus, and must have had Arabic leanings, and his third rank in the weak Dawa party would bring a docile PM to the benefit of all. These statements verge on linguistic gymnastics as part of 'diplomatic persuasion' rather than sound assessment of a person, his ethos and mind-set.

Dawa's two strong leaders, Jaafari and Ali al-Adeeb, in one leap. He became PM of Iraq in May of 2006.

Conservative mindedness, xenophobic mentality, parochial village norms of kinship, communal particularism, obsession with security, clandestine inwardness, and rigid central control, in summation, all make up the persona of an individual who was to hold the reins of power for eight years in Baghdad. The role of personal qualities is usually constrained, to an extent, by the structure of the system. The weaker the system is, however, the greater the influence of the person. The vulnerability of the nascent institutions explains why and how a weak leader on top of a weak party could establish authoritarian rule, characterized by over-centralization and the personalization of power, and pursue hegemonic and communal policies that unraveled the embryonic arrangements and exacerbated antagonism of a nation ripped apart.

This new system, defined by weak institutions, including a divided and paralyzed parliament, a submissive constitution, a docile judiciary, and more generally, a weak division of power that conflated local autonomy or decentralization for local dependency of the central government, is the second major legacy of Maliki's premiership. The rentier feature of Iraq's polity, or the power of the petro-dollar, allows power relations to manipulate social groups, to extend crony networks, to build-up massive security organs, to control the bulk of the media, and to thrive on the ethno-communal divisions that inhibit any meaningful opposition.

The result of the post-2003 Iraqi state structure was a coalition government run directly from the office of the PM, an organ populated by Dawa apparatchik, and more specifically, by Maliki's son, Ahmad. The military was directed personally by the PM, who bypassed the regular chain of command and incorporated the very militias he sought to destroy in 2008 under the motto: *State of the Law*.

And the result was a weak parliament incapable of developing any semblance, let alone a meaningful system, of checks and balances. Potential opposition leaders (from Iraqiya, for example) were more focused on securing personal benefits than setting the system right.[12] "Absenteeship" was the main tactic of the opposition. An added weakness was vulnerability of the national assembly to regional powers. Iran's intervention to derail the no-confidence vote to unseat Maliki in 2012 is a case in point.

---

12 This is based on a conversation with Allawi in the Spring of 2014 in Amman, Jordan.

The judiciary, in particular the constitutional court, has been, and may continue to be, the weakest institution, and submissive to the dictation of the executive branch.

Lastly, the feeble system of accountability and supervision of government spending further weakens the structure and liiterally gives a free rein of corruption and meddling with the public purse for personal and partisan benefits.

Under conditions of conflict, institutional fragility worked well to facilitate this mutation of individual attributes into state policies, under which the vices of the single actor become the virtues of collective functionaries.

Abadi: Continuations and Discontinuations

The paramount question today is twofold: whether or not the new PM Haider al-Abadi can move past the legacies of his predecessor and provide a window of opportunity to salvage the political and security situation, and whether the post-2003 institutions, which have thus far proven ineffective, can be modified to act as legitimate checks and balances.

The first three months of Abadi's term have signs of both continuity and discontinuity. Several policy choices seem to suggest an attempt to break with the "single-man rule" or "authoritarian" image.

Seven broad policy tracks highlight Abadi's attempts of discontinuation:

1. the routineizing of leadership as mere civil service, rather than the manufactured charisma of the *Mukhtar*. Grand titles for President, PM and Cabinet Ministers have been abolished alongside with the personal picture of state leaders in government institutions;

2. the instatement of civilian-led security sector reforms and the move away from a total military leader, as such. The office of the commander in chief, for example, was dissolved, and new defense and interior ministers have been appointed;

3. the reaching out and empowerment of disenfranchised areas with local autonomy and National Guards that appeal to alienated Sunni regions;

4. the reaching out to the Kurds, who were happy to have Adil abd al-Mahdi as Oil Minister, rather than having the anti-Kurd and controversial Hussein al-Shahristani. This signaled a new direction for oil and gas negotiations, conveying more accessibility of the PM to the Kurds;

5. the acknowledgment that Iraq's security was deteriorating and required reform. As a result of this, 132 high and medium ranking officers have been discharged, and dozens of them have been referred to parliamentary investigation. This policy, of admitting defeat, dealt a heavy blow to Maliki's legitimacy and protégés;

6. the expansion of cooperation with the US and the appeal for international support; and

7. the partial moves to improve diplomatic relations with Arab Sunni neighbours, Jordan thus far.

These clear discontinuities from his predecessor, however, are marred by aspects of continuities stemming from both the personal legacy of Maliki and the legacy of weak and faulty institutions. Major sources of continuities are:

1. the same ruling party is still in power and the removal of its members from influential government roles remains few and far between;

2. the former PM, Maliki, is now the Vice President. He continues to lead Dawa and remains a powerful figure with widespread loyalists networks and vast financial resources;

3. the chances of agreement on major issues remain marred by inter- and intra-political wrangling;

4. the parliament remains weak and MPs continue to threaten constructive debate with boycotting;

5. the policies of divide and conquer vis-à-vis the Kurds are still being practiced; and

6. the foreign policy with the Sunni-Arab world remains adversarial.

First, and perhaps the most noticeable continuity, is that Abadi hails from the same party (Dawa). The extent of a possible reshuffle may well define the contours of any envisaged reform.

Second, Maliki remains powerful not only in his new capacity as Vice VP, but also in his capacity as the leader of the party, who wields influence over party networks and enjoys vast financial resources. As one senior official in the Dawa

Party confided, Abadi is putting as many sticks in the wheel as he can.[13] He also has strong influence over *asaib ahl al-Haq*, one of the largest Shi'i mercenary-like militias. Maliki does not seem willing to relinquish his power quietly.

Discontinuations have resulted in interpersonal tensions between the ex- and the incumbent PM. In a closed-door Dawa party meeting in September 2014, Abadi was shamed by his predecessor, and was given only a few minutes to speak, and even then, was interrupted on several occasions. In the same meeting, Maliki openly questioned Abadi's grasp on Iraq's sovereignty.[14] The official headquarters of the PM in the Green Zone was never handed over to the new PM. The ex-PM has in point of fact mutated into a thinly veiled oppositional centre, and the personal feud may cause the Dawa party to split. The move to break away may come from either side. While the cleavage could hardly help Maliki stage a comeback, it definitely brings tremendous pressure on Abadi. Pro-Maliki spin-doctors have been very active in tarnishing the image of their new PM as weak and naive.[15] The PM, however, seems to be focused on setting the politics of combating ISIL in order.

Third, negotiations are still slowed down by bitter inter-and intra-communal and political rivalries, a feature that requires genuine effort to develop mechanism for workable agendas through compromises.

Fourth, the parliament remains weak and at the behest of boycotts. The Kurdish delegation, for instance, only rushed into parliament at the very last moment for Abadi's inauguration, after pleads from the U.S. and others. Maintaining quorum, therefore, continues to remain a problem for Abadi's rule. Moreover, despite Abadi's call for National Guards, the parliament has yet to approve them, and it seems like the institution, weakened and at the behest of the different communities, will not be able to take on several of the new PM's initiatives.

Fifth, Abadi has also continued antagonistic policies of "divide and rule" against the Kurds. His decision to visit Sulaimania invited protests from the KDP, which argued that he should visit the KRG's capital and meet with the largest and

---

13 Interview with Dawa Party officials, confidential.

14 Kirk Semple, "At War Against ISIS, Iraqii Premier is Facing Battles Closer to Home," 15 October 2014, Available at <http://www.nytimes.com/2014/10/16/world/middleeast/at-war-against-isis-iraqi-premier-is-facing-battles-closer-to-home.html?smid=tw-share&_r=0> (15 October 2014.

15 The most active is Dawa MP is Hanan Fatlawi, who has appeared on successive talk shows throughout September and October 2014 and questioned Abadi's strength as a leader.

governing party, the KDP. This was a clear sign of again trying to lift up the PUK, despite its own problems of legitimacy in the Kurdistan Region. Again, this was a similar split that Maliki encouraged on several occasions during his premiership.

Sixth, beyond a symbolic reaching out to the Sunni-Arab world, the rhetoric from Baghdad remains adversarial. Abadi was quick and strong in his criticism of the aerial campaigns of Gulf States, who are part of Washington's coalition. Moreover, when U.S. VP Joe Biden was forced to apologize for criticizing Turkey and the UAE for their destructive role of inaction vis-à-vis ISIL, Abadi came out to express disapproval over the apology.

Challenges Moving Forward

In the current crisis Iraq faces several challenges. These, however do not rest in the hands of a single leader or institution, but rather, are shared by a multitude of institutions and political groups. To conclude the report, this section outlines the political challenges encountered by PM Haider Abadi, legislative challenges faced by the Iraqi Council of Representatives (parliament), security and reform challenges faced by the ISF, and legal challenges faced by the Independent Commissions, as mandated under the 2005 Constitution. These four clusters involve intertwined sub-sets of challenges, which represent bits and pieces that contribute to the general crisis of governance and stability.

Abadi's Immediate Challenges

In the face of the crisis, Abadi's *first* and gravest challenge is to curb Maliki's control over the administration and security institutions. This is imperative if Abadi is to chart a new course or embark on reform. As has been noted earlier, Maliki bequeathed a large inner circle of loyalists drawn from the Dawa party. They populate ministries as undersecretaries, all on a provisional basis and never endorsed by the parliament. Another group represents dozens of inefficient loyalist advisors. There is also a third group of high ranking officers hand-picked by Maliki, again without parliamentary approval.

PM Abadi is a leader of the same Dawa party, and any measure of restructuring, however much required, will rely to a great extent on party functionaries, and closing the loopholes from Maliki's protégés to derail whatever policies they can. Recent reports suggest this really is the case. Thus, Abadi's strategy to reinitiate national reconciliation, repair the damages, and move forward to dislodge ISIL, is most probably to be impaired by internal schism within the Dawa Party. Thus far,

PM Abadi, who won the support of 41 out of 52 Dawa MPs, has taken some bold steps. As mentioned above, the Dawa party faces a real schism that may lead to fragmentation.

Reforming the security sector is all the more imperative. The cleansing that Abadi has initiated is just a prelude. The positive, and more crucial, aspect is how to reconstruct the defense and interior portfolios.

At present, there are three major paramilitary formations in the making: first, the popular mobilization force, an entirely Shi'i force, contains some 30,000 or so new volunteers and old combatants This drawm from several Shi'i militias (Badr Corp, Asa'ib ahl al-Haq, Hizballah, and Kata'ib abi al-Fadhle al-Abbas) that are deployed in the Babylon and Salahadeen provinces. Second, the National Guard, a new formation championed by the U.S., has already started training volunteers from Sunni areas in a special military base in Samarra. This is position to be a new version of the *Sahwa* movement. Third, the Tribal Forces in the Anbar province have been formed under the paramount tribal chief of chieftains of the Anbar tribe, the house of Sulaiman, an old ally of Maliki.

The multiple centres of paramilitary power may prove counterproductive and recipe for post ISIL chaos. The three-legged paramilitary formations betray sundry pressures from Iran, the US, and the Maliki faction.[16]

In restructuring the administration and military institutions, Abadi is in dire need of support by his partners in the coalition government. New bylaws to regulate the process of policy and decision- making have been offered but not yet delivered. This is a pivotal piece for the smooth running of the cabinet at times of crisis and beyond, and is the basic instrumental in achieving national reconciliation through institutional means.

Shi'i-Sunni relations, soured as they were by misgivings, mistrust, and grievances (real or imagined), are a strategic challenge. Mending these relations is a precondition to the political-military strategy of defeating ISIL, based on the assumption that engaging local communities in combating ISIL is a precondition for success and for long term stability.

---

16 See Amnesty International, "Absolute Impunity: Militia Rule in Iraq," *Amnesty International* October 2014.

Sunni institutional politicians, namely Nujaifi's *al-Muttahidun,* Allawi's *al-Wataniya*, and Mutlaq's *al-Arabiya*, united following the 2014 national elections, seem to be in a more flexible mindset. They have a 19 point platform to address their communities grievances, which is negotiable and, in certain points, achievable. More positive engagement may prove beneficial for the short term objective of defeating ISIL, and the long term objective of peaceable transition. Abadi's role in this respect is pivotal. Critiques against the new PM, mainly from Maliki's spin-doctors and Iran, may cause some disruptions. Sunni politicians, for their part, have to show more flexibility to help keep course.

A second leg in the national reconciliation challenge is normalizing relations vis-à-vis the Kurds. A host of issues, ranging from the federal budget, a hydrocarbon law, the status of the peshmerga forces and the contested territories, overshadow the relationship between the federal and regional government. The immediate issue, however, is to release the funds of the KRG's budget and to enhance political and military cooperation. The signals from Abadi have been mixed. His visit to Sulaimaniya, rather than the KRG capital Erbil, seems a continuation of Maliki's policy of dividing rather than negotiating with the Kurds, benefiting from the old established relations between Talibani's PUK and Iran. Abadi's cautious and ambivalent moves in this regard are detrimental to overall strategy of stabilization.

The Security Challenges

The massive spread of ISIL in four major provinces, Ninewa, Salahadeen, Anbar and Diyala, and their partial incursion in Tamim (Kirkuk) and around Baghdad, at points reaching 25 km from the capital, is a looming threat in which the Iraqi military seems too fragile to reverse. For ISIL, the Battle of Kobane in Syria is meant to open up the borders for a full-scale frontal attack, extending from Mosul to Anbar, to overtake Baghdad. The fragility of the military situation, symptomized by the phenomenal failure in Mosul and the incapability thus far to dislodge its forces from major towns and other points, makes rebuilding the security sector crucial.

The reversal of Maliki's measures is important. This includes the removal of Maliki's inefficient protégés (partly achieved), the re-inclusion of Kurdish and Sunni officers (yet to be taken), and the re-instating of the normal chain of command running from the PM to the defense minister to the chief of staff, a procedure distorted by Maliki and his aides.

Lastly, reform will require the scrutiny of recruitment policy in the military, so as to ensure equitable inclusion of all provinces relative to their demographic weight, and to remove the 'ghost' troopers, ironically called by the public as 'aliens' who exist on paper but not on the ground. In Mosul, for example, of the 25 000 listed, a maximum of only 10 000 were present, and in certain areas, where about 500 ISF troops were required, there existed only around 40.[17]

The nomination and appointment of Defense Minister Khaled al-Obaidi, a Sunni from Mosul, and Interior Minister Mohammad Ghabban, a Shi'i from the Badr Corp, convey a sense of openness and caution. The new defense minister may well satisfy Sunni provinces, in particular the beleaguered Mosul, and express signs of building intra-communal trust, as well as moving away from the Shi'i monopoly of the defense portfolio, as was the case under Maliki.

The decision to establish the National Guard across the national gamut is in tandem with the broader strategy to involve provincial communities in standing up to the challenge, provided that these units remain within the confines of the armed forces, in terms of chain of command, operational norms and rules of engagement. The potential danger is that they may develop into uncontrollable and unaccountable paramilitary groups, rather than as a wing of the ISF. This applies to both Sunni and Shi'i militias and regions.

The Parliamentary and Constitutional Challenges

The national assembly has been characterized by inaction as a result of divisions and most importantly by the habit of boycotting and absenteeism. Re-establishing the assembly as a legislator and a check on the executive branch of government is not to come from the cabinet, but rather from the leaders of parliamentary blocs themselves. Seeking a workable agenda and consensus through mutual concessions are the basic norms in need of enhancement. Government by debate, regular questioning of incumbent officials, and other procedures, have to be established.

The other leg is the constitutional court, which thus far has been more of a rubber stamp in the hands of the executive authority than an institutional check. Its

---

17 Ned Parker, Isabel Coles and Raheem Salman, "Special Report: How Mosul Fell – An Iraqi General Disputes Baghdad's Story," 14 October 2014, Available at <http://www.reuters.com/article/2014/10/14/us-mideast-crisis-gharawi-special-report-idUSKCN0I30Z820141014> (14 October 2014).

members, who need protective shields provided by competing political groups, must not succumb to executive pressures.

Lastly, the independent commissions, which have lost their autonomy, notably the Integrity Commission, the Independent Electoral Commission, and the Central Bank, should be reinvigorated as additional checks and balances in the fragile system, and as instruments strengthening all-over inclusion and participation, which remain crucial for national reconciliation.

Conclusion

The communal-ethnic Hobbesian "war of all against all" has been and may continue to be a two-edged sword. By dint of failure to override the others, any single group or party is destined to lose supremacy or lose continued monopoly of power. In this respect, inter- and intra schisms have the potency to thwart authoritarian proclivities, and in this inhibitive capacity, to preserve the latent seeds of a democratic system. Other than this preventive tendency, they have a limited constructive capability: fear of the "Other", or self-preservation, may generate demands for protective procedures. Unless a consensual, collective Leviathan emerges, i.e. a multi-lateral *modus operandi* for all to cherish and observe, such 'protective shields' might never develop into institutional democratic checks and balances.

Only halfway through post-conflict state-building and stuck lingering in purgatory, Iraq is caught between violent clash and civil conflict. Much still hinges on a solid centrist front with clear cut democratic commitments in both the negative and positive senses, i.e. the preventive and the constructive elements of thwarting authoritarianism but building a meaningful division of power. As has been constantly reiterated in our past "Crisis Reports", nascent centrism emerges in times of crisis, combining Shi'i, Sunni, and Kurdish forces. Beyond the crisis, however, the budding centrism usually wanes, and its constituent elements return to their self-insulated particular interests. This tendency will only prolong Iraq's entrapment in purgatory.

Appendix (Key Elections Results 2005-2014)

Table 1a – The 2014 National Elections

I- State of Law & Allies	***II- Shi'i Opposition***	***III- Centrists***	***IV- Sunni Groups***	***V- Kurds & Allies***	***VI- Small Groups***
Maliki SoL (92) *(SoL Coalition includes Badr Corps and Shahrastani.)* Fadhila &Independent Elite. Ya'qubi / Jabiri (6) Sadiqun / Leagues of the Righteousness (1) Dawa – Iraq (1) Elite Group /Baghdad (3) Iraq Coalition/ (5) Fadhil Dabbas (Businessman)	Ahrar / Sadr (28) Mwatin / Hakim (29) Reform / Jaafari (6)	Wataniya (21) /Ayad Allawi Arabiya/ (10) Salih Mutlak Tahaluf Madani (4) (Leftists & democrats)	Islah / Nujaifi (23) Sunni Splinter Groups: **Mosul:** Ninawa Alliance (3) **Anbar:** Wafa (3) Unity sons of Iraq (2) Khalas (1) **Salahudin:** Salahudin Alliance (1) Karama (1) Salahudin Coalition (1) **Diyala:** Diyala Identity (5) **Kirkuk:** Arabs of Kirkuk (1) Turkmen of Kirkuk (2)	KDP / Barzani (25) PUK / Talibani (19) Goran/ Mustafa (9) Kurdish Islamic Group (7) Al-Shabak component (1) Al-Yezidi movement (1) Kurdish Peace / Diyala (2)	Christian Seats / (Ninawa,Baghdad, Duhouk, Erbil, Kirkuk) (5) Just State / Babil (1) Al-Wafaa /Najaf (2) Solidarity in Iraq/ Thi-Qar (1) Gathering of Experts & Masses / Babil – Kadisiya (2) National Partnership / Baghdad,Thi-Qar (3) Sabiaa' / Baghdad (1)
Total : ١٠٨	**Total: ٦٣**	**Total: 35**	**Total: 43**	**Total: 64**	**Total: ١٥**

Table 1b: The 2014 National Elections (by province)

Province	Votes / Seats	State of Law	Fadilah	Iraq Coalition	Hakim	Sadr	Jaafari	Allawi	Mutlak	Tahalf Madani	Nujaifi	KDP	PUK	Goran	Others
Ninawa	٩٨٧٧٩١/ ٣٣														1 Christian seat
Anbar	٣٧٢٦١٠/ ١٥			1				2	2		4+3*+2*+1*				
Salahudin	٤٤٠٨٠٧/ ١٢			1				2	3		3+1*+1*+1*				
Diyala	٥٦٠٣٠٠/ ١٤	3			1	1		2			0+5*	2*			
Baghdad	٢٨٢١٩١/ ٦٩	30+3*+1*	1	2	5	6	1	10	1	3	4				1 Christian seat +2*+1*
Babylon	٧٤٩١٧٣/ ١٧	7			3	3	1	1							1+1
Karbala	٤٤٠٤٠٨/ ١١	7	1		1	2									
Wasit	٤٩٠٠٢٧/ ١١	6			2	3									
Najaf	٥٥٨٠٨٤/ ١٢	6			2	2									2
Qadisiya	٤٨٤٦٢٤/ ١١	5+1*	1		1	2									1
Muthana	٢٩٠١٣٩/ ٧	4			2	1									
ThiQar	٧٢٩٠٣/ ١٩	8	2		4	2	1								1+1
Misan	٣٧٢٨٣٩/ ١٠	4			2	3	1								
Basra	1006533/ 25	12	1		6	3	2			1					
Sulaimaniya	٨٩٣٢٢٦/18											2+3*	6	7	
Duhouk	٤٩٠٤٥٢/ ١١											8+2*	1		1 Christian seat
Erbil	٧٤٤٢٨/ ١٥											7+2*	4	2	1 Christian seat
Kirkuk	٥٧٠٧٥٩/ ١٢								1		1*+2*	2	6		1 Christian seat
Total		**92+5***	**6**	**5**	**29**	**28**	**6**	**21**	**10**	**4**	**23+20***	**25+11***	**19**	**9**	**15**

Table 2: The 2010 National Elections

	Political List	**Total Votes**	**Total Seats**
١	Iraqiya	٢,849,612	٨٩+2
٢	State of Law	2,792,083	٨٧+2
٣	National Iraq Coalition	2,092,066	٧٠+1
٤	Tawafuq	298,226	٥+1
٥	Unity Alliance of Iraq	١٥٠,٠٦٣	٣+1
٦	Kurdistan Alliance	1,681,714	٤2
٧	Islamic Kurdish Union	243,720	٤
٨	Goran	476,478	٨
٩	Others (minorities)	61,153	8+2

Table 3a: The January 2005 Legislative Elections

Results 2005 elections
Iraqi legislative elections, 30 January 2005

United Iraqi Alliance

Democratic Patriotic Alliance of Kurdistan

Iraqi List

140

75

40

20

rest

275 seats
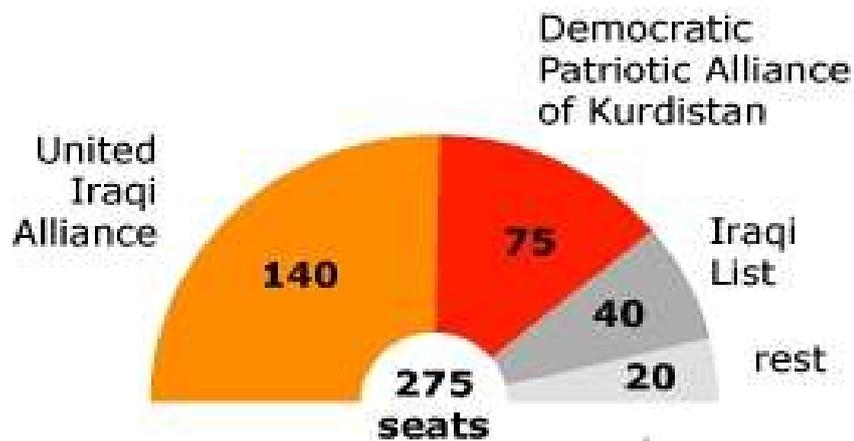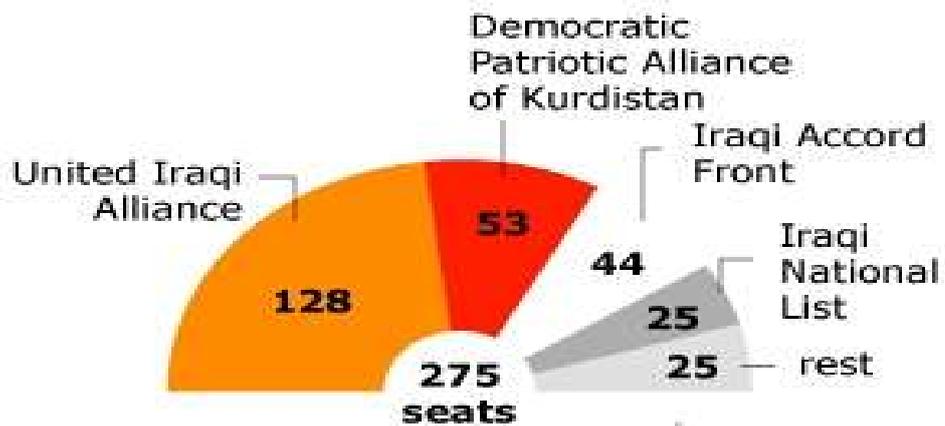
5 The Iraqis
3 Iraqi Turkmen Front
3 National Independent Cadres and Elites
2 People's Union
2 Islamic Group of Kurdistan
2 Islamic Action Organization In Iraq
1 National Democratic Alliance
1 National Rafidain List
1 Reconciliation and Liberation Bloc

Table 3b: The December 2005 Council of Representatives Elections

Results 2005 elections

Council of Representatives elections,
15 December 2005

Democratic
Patriotic Alliance
of Kurdistan

Iraqi Accord
Front

United Iraqi
Alliance

Iraqi
National
List

53

44

128

25

25 — rest

275
seats

11 Iraqi National Dialogue Front
 5 Kurdistan Islamic Union1
 2 The Upholders of the Message
 3 Reconciliation and Liberation Bloc
 1 Turkmen Front
 1 Rafidain List
 1 Mithal al-Alusi List
 1 Yazidi Movement for Reform and Progress

Table 4: The 2009 Provincial Elections (by province)

Province	State of the Law-Maliki	Mwatin-al-Hakim	Sadr- al-Ahrar	Allawi- Iraqiya
Ninawa (Mosul)	0.0	0.0	0.0	0.0
Al-Anbar	0.0	0.0	0.0	9.2
Salahudin (Tikrit)	4.9	0.0	0.0	19.2
Diyala	8.2	0.0	0.0	12.7
Baghdad	46.6	6.7	11.0	10.8
Babylon (Hilla)	27.3	18.1	13.5	7.6
Karbala	19.9	15.0	14.9	0.0
Wasit (Kut)	38.7	24.8	14.8	11.8
Najaf	25.9	23.7	19.0	0.0
Qadisiya(Diwaniya)	35.4	17.6	9.8	12.5
Muthana (Simawa)	19.0	16.4	9.6	0.0
ThiQar (Nasiriya)	38.1	18.2	21.9	0.0
Misan ('Amara)	31.9	26.5	26.5	0.0
Basra	53.4	16.7	7.8	4.7

Table 5: The 2013 Provincial Elections (by province)

Province	State of the Law-Maliki	Mwatin-al- Hakim	Sadr-al-Ahrar	Allawi- Iraqiya
Ninawa (Mosul)	0	0	0	26.7
Al-Anbar	0	0	0	53.4
Salahudin (Tikrit)	0	0	0	32.2
Diyala	0	0	0	6.5
Baghdad	35.9	10.3	8.7	22.2
Babylon (Hilla)	26	21.0	9.5	4.4
Karbala	26.1	10.3	13.6	2.2
Wasit (Kut)	27.2	24.3	17.9	3.7
Najaf	19.1	20.6	11.4	0.7
Qadisiya(Diwaniya)	29.7	17.3	13.1	0.9
Muthana (Simawa)	30.6	26.8	12.5	1.7
ThiQar (Nasiriya)	33.1	22.8	15.2	1.3
Misan ('Amara)	28.9	23.4	33.4	0
Basra	45.2	18.8	9.0	3.7