
Iraq: State Or National Collapse?

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In the twentieth and twenty-first centuries, Iraq has lacked a strong sense of nationhood and a stable civil society. In their place rose a “fierce state” that prioritized the maintenance of security services to uphold the leaders’ power and an “uncivil society” of the country’s ruling class who existed apart from the lumpen masses but were barred from associating and organizing freely. Following U.S. occupation in 2003, Iraq’s “fierce state” and “uncivil society” unraveled quite rapidly. In the absence of a state for all its citizens, or more inclusive civil society institutions, sectarianism became the primary mode of political association. It is in sectarian terms that disputes are still framed, and armed camps organized. The question is, why have state building efforts failed across the spectrum in Iraq: is it because of the authoritarian state’s inherent weakness there, or because the depths of Iraqi sectarianism defy attempts to forge a common nationalism?

The underlying problem, in fact, lies in the structural weaknesses of the Iraqi state. Iraq was and is a “fierce state,” but not a strong one, and this has been the case since its establishment as a nominally independent country in 1932. The fundamental weaknesses predate the U.S. occupation, which merely exposed them for the international stage. A “fierce state” seeks to control all aspects of its peoples’ lives to prevent them from acting on their rights as citizens.¹ And Iraqi uncivil

society—which consisted of state-mandated membership for the ruling class in party organizations—was still basically tribal (as were most illegal associations outside of official circles). The Americans’ forced removal of this type of uncivil society in 2003 saw a proliferation of multiple uncivil societies organized along ethnosectarian lines.² Whether ex-Baathists, Shia militias, the Kurdish Regional Government, the U.S.- and Iran-backed federal government, or Sunni tribal gatherings, the rush to compete in this new order resulted in massive insecurity and violence. Sectarian rhetoric often served as cover for pursuing nakedly materialistic goals and vendettas. Iraq established a Shia-dominated federal system, but the limited rights this system observes with respect to non-Shia means that Iraq will continue to be wracked by multiple insurgencies. Even now, the most forceful opponents of the government are ex-Baathists and Sunni tribes who see the naked sectarianism of al Qaeda in Iraq (now reorganized as the “Islamic State of Iraq and the Levant”) as a vehicle to advance their interests.

THE NATURE OF “STATE”

Why does the prewar condition of the Iraqi state matter? As M. E. Bouillon has noted, after the 1920s, “the state [in Arab countries] evolved from coveted prize and target of societal competition to instrument in the hands of those who had managed to capture it.”³ This is what is meant by the fierce state in the literature. But “fierce” does not necessarily refer to a strong and stable

¹ M. E. Bouillon, “Iraq’s State-Building Enterprise: State Fragility, State Failure and a New Social Contract,” *International Journal of Contemporary Iraqi Studies* 6, no. 3 (2012): 286, accessed May 5, 2014. <http://ezproxy.library.nyu.edu:15301/eds/pdfviewer/p>

dfviewer?sid=012545a9-6521-4dc9-915a-a3e4383c5b05%40sessionmgr111&vid=8&hid=104.
² Phil Williams, “Criminals, Militias, and Insurgents: Organized Crime in Iraq,” Strategic Studies Institute (2009): xiii, accessed May 5, 2014. <http://www.strategicstudiesinstitute.army.mil/pdffiles/pub930.pdf>.

³ Bouillon, “Iraq’s State-Building Enterprise,” 283.

state. The fierceness of the state lies in its need to enforce its rule through violence and control the distribution of resources to concentrate (rather than dilute) power in the hands of a ruling coalition. What happened after 2003 was not a reverse of the process that Bouillon saw occurring between the 1920s and the 1960s (when Iraqi Baathists seized power) but a revival across multiple coalitions. The paramount challenge for nation building in Iraq is less a matter of creating a coherent nationalism for all people within the border, than creating a *state* structure and rule of law within it. Francis Fukuyama's point that "reconstruction is possible when the underlying political and social infrastructure has survived conflict or crisis" is applicable here because in questions of building a nation, reconstruction is only possible if the machinery of state has survived intact.⁴ State structure is a prerequisite to a successful nation.⁵

In Iraq, the rapidity and scale of "de-Baathification" meant that this premise was completely undone.⁶ Iraqi functionaries forced out by the U.S. occupation authorities became rejectionists quite rapidly, aided by access to a cornucopia of arms caches and a lack of American troops to put out all the fires they set. The resulting sectarian conflicts in Iraq show, as Hawzhin Azeez suggests, "an attempt to forge their own sense of social consensus" but this presumes that an Iraq where the Sunni-Shia divide is still so raw is one that can actually agree on state structures.⁷ The question of "the nation" cannot be

⁴ Francis Fukuyama, *Nation-Building: Beyond Iraq and Afghanistan*, (Baltimore: Johns Hopkins University Press, 2010), Kindle locations 146-147.

⁵ *Ibid.*, Kindle locations 3916-3918.

⁶ RAND. "Chapter Ten: Iraq." In *America's Role in Nation-Building: From Germany to Iraq*. Eds. Dobbins, James et al. (Santa Monica: RAND, 2003), 166.

⁷ Hawzhin Azeez, "Reconstructing Iraq: Iraq State-building, Nation-building, and Violence," *Nebula* 7, no. 4 (2010): 80, accessed on May 5, 2014. <http://nobleworld.biz/images/Azeez.pdf>.

decided without prior acceptance of power-sharing norms short of internecine warfare. With several of the country's major cities still under the control of the so-called Islamic State and much of the Kurdish north acting independent of Baghdad, such norms remain an illusion.⁸ True, even with an extensive welfare state and security apparatus in place, the state was weak in Iraq because of the Baathist's long rule: one elite group captured the state, refusing to countenance any other kind of arrangement or power-sharing structure that would diminish its powers.⁹ This is what made Iraq's top 1-10% of citizens—the people who ran the various ministries and security services—an uncivil society. They were committed to an order that barred them and the rest of the population from forming alternative, non-state forums to associate in.¹⁰

Iraqi states in the modern era have all been weak on the institutional level. Violence was commonly used to settle disputes among the ruling classes repeatedly: first in 1920 and 1941, against the British, again in 1958 against the pro-British monarchy, and in 1963 with the establishment of the Baathist dictatorship. But the fierce state of Saddam Hussein was also weak in the 1970s, 1980s, and 1990s because of the way the state was organized: as a "totalitarian, patrimonial system" that also "was an amalgam of a single-family and a

⁸ Michael Barnett, "Building a Republican Peace: Stabilizing States after War," *International Security* 30, no. 4, (2006): 89, accessed May 5, 2014. <http://ezproxy.library.nyu.edu:15301/eds/pdfviewer/pdfviewer?vid=9&sid=012545a9-6521-4dc9-915a-a3e4383c5b05%40sessionmgr111&hid=104>.

⁹ Abbas Kelidar, "States without Foundations: The Political Evolution of State and Society in the Arab East," *Journal of Contemporary History* 28, no 2 (1993): 324, accessed May 5 2014. <http://www.jstor.org/discover/10.2307/260713?uid=3739808&uid=2&uid=4&uid=3739256&sid=21103752835571>.

¹⁰ Nazih Ayubi, *Over-Stating the Arab State: Politics and Society in the Middle East*, (London and New York, I. B. Tauris, 1995: 22.

single-party system.”¹¹

A strong state structure, according to Abbas Kelidar, is necessary for the growth of nationalism. This has proven elusive in Iraq because “a powerful force of national and social mobilization has been incapable of serving as the foundation of political organization” due to a lack of shared historical identities within its borders.¹² Across the whole of the Middle East, multi-confessional political movements in other post-Ottoman Arab states often failed to agree on how to share power because the “state” was not seen as a legitimate participatory venue. The frequent recourse to violence suggested less a weak sense of nationhood than a dearth of acceptable power-sharing arrangements.¹³ So, the contest for power among these factions has historically ended with one or two of them capturing the state and resorting to divide-and-rule politics. These factions fail to agree on power-sharing arrangements, instead resorting to officially sanctioned violence to maintain the status quo and, for the persecuted have-nots, insurgency.¹⁴

The late dictator’s policies were not “conducive to the development of an integrative condition in which a coherent

sense of political identity and stable political institutions could be established on firm foundations.”¹⁵ Military institutions showed similar favoritism, failing to become vehicles for shared national identity given the high concentration of Sunni Arab officers and specialists (in other countries, like Lebanon or North Yemen, one could see Christians or Shia in similar positions). The Shia and Kurdish insurgencies in Iraq were, from the insurgents’ perspective, the only logical responses to this situation: to be acknowledged, they had to fight the state because no other form of protest was “legitimate.”

“State-building in the Middle East” says Stephen Townley, “may function best at the sub-state level” precisely because it requires varied groups lacking a concrete national identity accepting that they need to agree on a set of rules to provision their own constituencies and then, moving forward, interact with others.¹⁶ This has been how Iraqis have groped towards building a “new” Iraq since 2003: by attempting to renounce winner-take-all political violence in favor of negotiated transfers of authority and other arrangements, like revenue sharing.¹⁷ The process is far from complete. Though the “nation” of Iraq is a fragile one, the real problem at hand is the failure of an Iraqi state to provide a secure space for citizens of different associations present to see themselves a part of, and have a stake in maintaining, the state even if it makes them more insecure and less privileged relative to other groups.

¹¹ Faleh Jabar, *Postconflict Iraq: A Race for Stability, Reconstruction, and Legitimacy*, (Washington, D.C.: USIP, 2004): 7, accessed May 5, 2014.

<http://www.usip.org/sites/default/files/sr120.pdf>.

¹² Kelidar, “States without Foundations,” 320.

¹³ As’ad AbuKhalil, “The Longevity of Arab Regimes: Causes of Oppression,” in *Modern Middle East Authoritarianism: Roots, Ramifications, and Crisis*. Eds. Benoun, Nouredine; Kia, Mehrdad; and Kirk, Mimi. (New York: Routledge, 2014). 50.

¹⁴ North Yemen, now part of the Republic of Yemen, was another example of such a polity, a state where there was barely any “state” beyond the barracks. Whether under a monarch (before 1962), generals’ clique (from 1974) or nepotistic family of bureaucrats (to 2011), coups were depressingly common in North Yemen because there was no other “accepted” mechanism for the transfer or modification of power. The North Yemeni state was also a fierce state, then.

¹⁵ Kelidar, “States without Foundations,” 327.

¹⁶ Stephen Townley, “Perspectives on Nation-Building,” *The Yale Journal of International Law* 30, no. 347 (2005: 359, accessed May 5, 2014. <http://heinonline.org/HOL/LandingPage?handle=hein.journals/yjil30&div=13&id=&page=>

¹⁷ Bouillon, “Iraq’s State-Building Enterprise,” 292.

THE IRAQ FIERCE STATE: FEET OF CLAY

The Iraqi state was, in short, “over stated”: it was imagined to be much stronger than it was simply because it projected such an image.¹⁸ So how were the Iraqi Baathists able to build a state that was, at its core, extremely weak as a set of institutions and norms despite its authoritarian longevity? The Baathist regime, set up in 1963, endured until 2003, with only a short interruption of its rule in the late 1960s. The three basic conditions of the “fierce state” existed throughout this period. A “democracy of bread” that was the oil-subsidized welfare system, a brutal internal policing mechanism, and a rallying cry of exclusivist nationalism over competing ideologies such as communism, pan-Arabism, and Islamism.¹⁹

The Baathist authorities offered Iraqis a “choice,” so to speak: accept a social contract that stultifies civil society in exchange for welfarism. Such states appear strong, but rely on the consent of the (un)governed: any form of mass protest or security disturbance has the potential to bring down the whole edifice if not crushed immediately, which is why the Baath Party responded so brutally both to attempted insurgencies and the mildest forms of dissent.²⁰

Joining the Baathist Party was a prerequisite for career advancement, and was predicated on stifling any unapproved or potentially disruptive associations.²¹ The Punishment Law 111 (Section 200) of the

Baath Party’s charter allowed the regime to sentence party members to death if a member had any unlicensed affiliations with other political movements in Iraq—which is to say, all of them. Special attention was also paid to inductees who had been active in any movement that was banned after 1968, since this meant they had had such associations.²² Informing on colleagues was encouraged, and torture was common as well.²³ All of this helped the state prevent the emergence of civil society by promoting distrust and isolation: members of Saddam Hussein’s family were not even immune from such checks on their power if they were seen by him to have stepped out of line.²⁴ Even the military remained divided, under suspicion, and, given the shortages plaguing the country after 1991, a competitor in internal “politics.” Although Western and Arab intelligence services expected palace coups to take place against Saddam Hussein during the 1990s, the officer corps remained loyal to him.

Uncivil society building in Iraq also meant breaking up tribal associations, because these could serve as the basis for reforms, demands, and agitation. Tribes were, and are, central to Iraqi political organization: “Saddam co-opted the tribal organizations that undergirded Iraq,” according to Peter Van Buren, “manipulating the local sheiks toward his own ends by giving power to some, money to others, and depriving those who crossed him of both.”²⁵ The Baath Party divided and ruled tribes by creating two levels of leadership within each of them that would

¹⁸ Ayubi, *Over-Stating the Arab State*, 3.

¹⁹ RAND, “Chapter Ten: Iraq,” 178.

²⁰ Stephen Kotki, *Uncivil Society: 1989 and the Implosion of the Communist Establishment*, (New York: Random House Publishing Group, 2009): Kindle location 2776.

²¹ Phebe Marr, “Where Is Iraq Headed?” *American Foreign Policy Interests* 25 (2003): 368, accessed May 7, 2014.

<http://ezproxy.library.nyu.edu:15301/eds/pdfviewer/pdfviewer?vid=4&sid=012545a9-6521-4dc9-915a-a3e4383c5b05%40sessionmgr111&hid=104>.

²² Mark Magnier, “Documents Reveal Extent of Baath Party Rule,” *The Los Angeles Times*, April 6, 2003, accessed May 2, 2014.

<http://articles.latimes.com/2003/apr/06/news/war-baath6>.

²³ Marr, “Where Is Iraq Headed?” 370.

²⁴ AbuKhalil, “The Longevity of Arab Regimes,” 45.

²⁵ Peter Van Buren, *We Meant Well: How I Helped Lose the Battle for the Hearts and Minds of the Iraqi People*, (New York: Henry Holt and Co., 2011): Kindle location 75.

be at odds with one another.²⁶

Efforts to create a strong state in Iraq largely failed due to domestic political maneuverings, but uniquely among other fierce states in the Middle East, external factors had a significant impact. No other Middle Eastern dictatorship has ever been as sanctioned as Iraq between 1991 and 2003.²⁷ These external factors crippled what state infrastructure did exist prior to 2003, and undermined (though did not collapse) uncivil society's bargain with the state. Yet people's "strategies of survival" did become less dependent on state agencies than on the United Nations, their extended families, and local notables with access to humanitarian goods and permits. Saddam Hussein exacerbated these developments when he turned a blind eye to rampant government corruption to focus on placating his most important loyalists. As for the rest of the population, sixty percent of Iraqis lived below the poverty line by 2003, and an equal number received their daily bread from the UN's Oil for Food program.²⁸ Even the usually well-provisioned internal security services were not unaffected: their duties in Baghdad Province increasingly fell to hastily deputized Sunni militias, simply due to the cost saving measures this move produced.²⁹

While Baathism prevented the emergence of civil society under Saddam Hussein's rule, internal conflict did not "end" when the Baathist took power. Iraqi Shia,

especially, continued to exist outside of the state structure and build their own networks, states within states. Kurdistan was effectively independent after 1995. These disputes could not simply be frozen by the regime's policies, and exploded after 2003.³⁰ As one Iraqi man asked Foreign Service Officer Van Buren during his tour in Anbar Province, "when will you [Americans] close the door you opened in our country?"³¹ This is the reality that the U.S. and Iraqis faced in 2003, "a plethora of social, institutional, economic, and cultural forces, hitherto dormant, emerged in full force"—and no one was ready for what came next.³² Sunnis have reacted to their diminished power by resorting to violence, which spurs Shias to press harder against them—while the Shias' act of holding onto power through force means they are fanning the flames of the Sunnis' rejectionist position.

It was extremely unlikely that national, democratic institutions could function effectively in these conditions.³³ They did not, and this outcome reflected an absence of "civic culture" among communities. The process has unfolded differently among various communities in Iraq, but several commonalities are present, and these play against one another across group actors.

STATE COLLAPSE: THE SUNNI VIEW

The Sunni experience in the "new" Iraq has been especially jarring, and indicative of the challenges of state building that Iraq faces.³⁴ The Sunnis in Iraq had, until 2003, been the ruling class, initially due to the Turks and the British. Though nationalist and secularist regimes after WWII tried to subsume Sunni identity in uncivil society

²⁶ Williams, "Criminals, Militias, and Insurgents: Organized Crime in Iraq," 26.

²⁷ RAND, "Chapter Ten: Iraq," 163.

²⁸ Hasan Latif Kathim al-Zubaydi, "Iraq's Poverty Since the 1980s—A Story of National Decline," *Niqash*, January 9, 2007, accessed on May 5, 2014. <http://www.niqash.org/articles/?id=1986>.

²⁹ Eric Davis, "Sectarianism, Historical Memory, and the Discourse of Othering: The Mahdi Army, Mafia, Camorra, and Ndrangheta," in *Uncovering Iraq: Trajectories of Disintegration and Transformation*. Eds. Toensing, Chris and Kirk, Mimi, (Washington, D.C.: Center for Contemporary Arab Studies, 2010): 91.

³⁰ Davis, "Sectarianism, Historical Memory, and the Discourse of Othering," 93.

³¹ Van Buren, *We Meant Well*, 90.

³² Jabar, *Postconflict Iraq*, 14.

³³ Davis, "Sectarianism, Historical Memory, and the Discourse of Othering," 67.

³⁴ Bouillon, "Iraq's State-Building Enterprise," 287.

based on patronage and the politics of fear, that privileged tribalism never disappeared. As noted above, Sunni tribal autonomy grew during the 1990s due to the impoverishment of the state after the First Gulf War.³⁵ Because they were denied the ability to form free associations, Sunni leaders had become used to in-group welfarism and corruption, the latter simply an extension of welfare and patronage politicking. This uncivil society was effectively forced to disband by the Coalition Provisional Authority (CPA) in 2003, putting over half a million people out of work. These men and women fell back on tribal, familial, and criminal network that had emerged in place of an authentic civil society. Forcing all of these individuals out of their jobs proved to be an undesirable undertaking from a security standpoint. It meant renegotiating a social contract and finding capable administrators in impossibly short time.³⁶ Iraqis finally had the chance to build a civil society but could not depend on paid employment, safe travel, or even regular access to water and electricity.

Then came the 2005 national elections. The electoral list that year was very closely identified with the CPA by Sunnis, as well as the U.S. and Iran more broadly, both of whom were resented for expanding their influence into the country.³⁷ The Sunnis had been stripped of power, while the Iraqi Shia—despite having experience organizing their communities—had never run anything at the national level. In this situation, the barriers to

national unity were tremendous because the short-term incentive for Iraqi politicians was to build up competing, exclusivist state capacities within their particular ethnosectarian associations.³⁸ In Sunni areas, a U.S. military survey noted at the time, “the vast middle ground does nothing to stop [Baathist insurgents] and to date does not see it in their interest to help us corner them.”³⁹

Though the 2005 elections had been demanded by many Iraqi leaders—taken as a sign of a willingness to build a state where power would be contested through institutions—the process arguably ended in failure.⁴⁰ Those appointed were meant to represent a balance of émigré and domestic politicians, and the country’s largest ethnic groups. This approach was unreflective of the new social spaces emerging within the country. It signaled to Iraqis that the central state was not worth supporting, but was worth *capturing*. This led to some of the first waves of attacks on those associated with the occupation had focused on perceived collaborators with the occupying forces.⁴¹ Another significant challenge was that Sunnis simply refused to “buy in” to a unified state due to Shias controlling distribution of basic resources and welfare assistance.

The Sunni tribal “Sons of Iraq” movement had the potential to be a significant moment in state building. It was, however, ultimately compromised by the inability of the central government to accept the legitimacy of the movement and give up some of its power by recognizing the Sons’ security gains against their common enemy, al Qaeda in Iraq (AQI, now ISIL or the “Islamic State”). Prior to the movement’s formation,

³⁵ Williams, “Criminals, Militias, and Insurgents: Organized Crime in Iraq,” 26.

³⁶ Thomas E. Ricks, *Fiasco: The American Military Adventure in Iraq, 2003 to 2005*, (New York: Penguin Group US, 2006): Kindle location, 161-2.

³⁷ Bellin, “The Robustness of Authoritarianism in the Middle East: Exceptionalism in Comparative Perspective.” *Comparative Politics* 36:2, 2004. <[http://ezproxy.library.nyu.edu:2116/sici?sici=0010-4159\(2004\)36%3a2%3C139%3aComparative+Politics%3E2.0.TX%3b2-2&origin=EBSCO](http://ezproxy.library.nyu.edu:2116/sici?sici=0010-4159(2004)36%3a2%3C139%3aComparative+Politics%3E2.0.TX%3b2-2&origin=EBSCO)>. Accessed 5 May 2014. 150.

³⁸ Wayne White, “The Saga of Iraqi Electoral Disappointment,” *LobeLog*, May 8, 2014, accessed on May 8, 2014. <http://www.lobelog.com/the-saga-of-iraqi-electoral-disappointment/>.

³⁹ Ricks, *Fiasco*, 216.

⁴⁰ Jabar, *Postconflict Iraq*, 8.

⁴¹ Ricks, *Fiasco*, 215.

the incessant attacks on Sunni communities by Shia militias and AQI led many Sunnis to decide not to trust the new authorities since “the very force that was designed to protect them [the Iraqi national police] preyed on them instead.”⁴² In response to this, and the depredations of AQI, Sunni leaders in the western reaches of the country began organizing themselves into self-defense leagues and soliciting U.S. assistance, which from 2007 to 2009, was provided in significant quantities. Yet when Sunni leaders went to Baghdad to obtain official blessing, the government of Nouri al-Maliki only reluctantly granted it. Maliki and his pro-Iran coalition had to be dragged into supporting the “Awakening.”⁴³ Baghdad eventually reneged on promises to integrate Sunnis from these self-defense units into the security apparatus, and the Shia-dominated police were especially hostile to them. This has become even more pronounced since 2014 with the upgrading of many Shia militias’ capabilities by the Baghdad government (and Iran) to take over counterinsurgency operations from the national army that collapsed before the onslaught of the Islamic State due to mass desertions. Though some token Sunni militias fight alongside these heavily armed irregulars, Shia formations like Katib Hezbollah and the Badr Organization far outnumber them and the regular Iraqi National Army forces, and have ethnically cleansed Sunni or Kurdish areas in the north and west of the country.

Even before this, the Shia leadership saw few reasons, after the U.S. troop withdrawal negotiated by the Bush Administration took effect, to accede to further American pressure to recognize the Sons. This, in turn, convinced some Sunni

groups they were better off keeping their arms and rejecting vague promises of recognition and salaried positions.⁴⁴ The new wave of violence in the Sunni-majority Al Anbar Province that began in 2013—several years after the supposed success of the “Awakening”—was precipitated by the Baghdad authorities’ cracking down on opposition Sunni politicians there.⁴⁵ Prior to that, as a result of the questionable 2010 election results that returned Maliki to power, “Sunnis lost faith in the political process and the jihadists were once again able to make inroads among them.”⁴⁶

STATE BUILDING: THE SHIA VIEW

For Iraqis to accept the idea that “the costs of democratic politics [were] preferable to the costs of resorting to violence in terms of achieving their goals of acquiring power” is a tall order in light of their country’s history. But, Shia parties in the country have started to accept this principle to a degree.⁴⁷ This is because of a conscious decision to contest authority by *becoming* authority, rather than operating outside of the system. Unfortunately, intimidation and patronage are

⁴⁴ Joel Wing, “Continued Problems Integrating The Sons of Iraq,” *Musings on Iraq*, August 10, 2010, accessed on April 28, 2014. <http://musingsoniraq.blogspot.com/2010/08/continued-problems-integrating-sons-of.html>.

⁴⁵ Dexter Filkins, “What We Left Behind,” *The New Yorker*, April 28, 2014, accessed on May 7, 2014. http://www.newyorker.com/reporting/2014/04/28/140428fa_fact_filkins?currentPage=all.

⁴⁶ Joel Wing and Peter Mansoor, “Inside The Surge An Interview With Prof Peter Mansoor Former Executive Officer To Gen Petraeus,” *Musings on Iraq*, December 31, 2013, accessed on May 7, 2014. <http://musingsoniraq.blogspot.com/2013/12/inside-surge-interview-with-prof-peter.html>.

⁴⁷ Eric Davis, “Islamism, Authoritarianism, and Democracy: A Comparative Study of Egypt and Iraq,” in *Modern Middle East Authoritarianism: Roots, Ramifications, and Crisis*. Eds. Benoun, Nouredine; Kia, Mehrdad; and Kirk, Mimi, (New York: Routledge, 2014), 218.

⁴² Williams, “Criminals, Militias, and Insurgents: Organized Crime in Iraq,” 15.

⁴³ Thomas E. Ricks, *The Gamble: General Petraeus and the American Military Adventure in Iraq*, (New York: Penguin Group US, 2009): Kindle Locations 1456-1457.

still accepted means to contest others for power, whether against other Shia factions or those outside that community. Such actions have done little to foster a less-exclusivist ideal of nationalism. The paradox is that building a stronger central state has led to sub-national groupings increasing their power at the state's expense by siphoning off resources.⁴⁸

It is more appropriate to compare Shia militias and their affiliated political/welfare arms with criminal organizations than with purely sectarian vehicles for power.⁴⁹ The Shia leadership in Iraq as whole, despite sectarian and regional differences, has shared a common historical experience in that they had been ruled by foreigners, deliberately neglected by the state after independence, and viewed as inherent troublemakers or the indolent poor. Because successive governments in Baghdad "failed to demonstrate any form of civil commitment toward the local population," multiple "extra-legal social organizations" arose at the expense of a common national identity.⁵⁰ Since the 1920s, Shia sectarian identity has hardened as community leaders built up their own state within a state to provide services to neglected communities. The Baathists' crushing of Iraqi nationalists, communists, and pan-Arabists after seizing power in 1963 further solidified Shia identity. The Baathists destroyed actors who could or would bridge the gaps to the much larger Shia population. Once these movements were taken care of, active measures against prominent religious figures in the predominantly Shia cities of Najaf and Karbala began in earnest in the 1970s. These sweeps culminated in a series of mass killings in 1992 following a failed

⁴⁸ Williams, "Criminals, Militias, and Insurgents: Organized Crime in Iraq," 204.

⁴⁹ Davis, "Islamism, Authoritarianism, and Democracy". 207.

⁵⁰ Davis, "Sectarianism, Historical Memory, and the Discourse of Othering," 78.

uprising in the south of the country by Iranian-backed Shia insurgents.

After this failed uprising, Muqtada al-Sadr came to represent the new approach to politics and state building. His father, assassinated by the Baathist secret police in 1999, had set the groundwork for him, by turning to the UN for relief aid under the sanctions regime and using this aid to organize a committed following. But, the elder al-Sadr differed from his predecessors who had founded Iraq's first Islamist party (Da'wa) in that he sought to become part of the state apparatus in order to co-opt it.⁵¹ The Sadrists' model was not unlike Hezbollah's in Lebanon: a charity, an army, and an electoral list all at the same time. The divide was, according to a 2003 report in *The Baltimore Sun*, between "older ayatollahs ... counseling patience with the occupation" and "the younger faction [that] wants to found an Islamic state" around the younger al-Sadr.⁵²

Sadr, who took a more conciliatory tone with the U.S.-backed government at the start than other aspiring political strongmen, revolted in 2004 after a crackdown on his organization. His forces took over local government offices and disarmed the police in Shia communities.⁵³ Faced with a determined U.S. response, Sadr eventually backed down and announced that he regarded the interim elections set for 2005 as legitimate. But his insurrection had proven a point.⁵⁴ Sadr was

⁵¹ Robert Baer, *The Devil We Know: Dealing with the New Iranian Superpower*, (Crown Publishing Group, 2008): Kindle locations 731-3.

⁵² New York Times News Service, "Blast kills 90, top Shiite cleric," *The Baltimore Sun*, August 30, 2003, accessed on May 8, 2014.

http://articles.baltimoresun.com/2003-08-30/news/0308300269_1_najaf-al-hakim-important-shiite.

⁵³ Marr, "Where Is Iraq Headed?" 366.

⁵⁴ Tareq Y. Ismael and Max Fuller, "The disintegration of Iraq: the manufacturing and politicization of sectarianism," *International Journal of Contemporary Iraqi Studies* 2, no. 3 (2008): 465, accessed May 7, 2014. <http://ezproxy.library.nyu.edu:15301/eds/pdfviewer/p>

very successful in building a shadow state that could and still does provide security for his followers.⁵⁵ Sadr, like other Shia leaders, decided in the wake of his initial military actions against the U.S. and its Iraqi collaborators that his organization had the chance to take “control of a state apparatus stripped bare by the looting,” in “an opportunity to obtain resources and benefits long denied them.”⁵⁶ So even as the country fell into civil war, some Shia leaders opted in to the U.S.-backed order. Even the popular Ayatollah Sistani, who had earlier railed against the country's first elections, reversed course and publicly backed the process. Acquiring control of the state would produce an even greater chance to provision the Shia community, so that by 2006, Prime Minister Nour al-Maliki led the *opting-in* of Iraqi Shia to form a central government. For Maliki and company the Americans “became adjudicator and enforcer in criminal disputes dressed up as political differences, siding with one set of violent armed groups engaged in criminal activities against other groups judged more dangerous.”⁵⁷ Sadr's militia, too, “bought in” when faced with the prospect of further armed conflict with the U.S. and Maliki's security services. His organization was ostensibly disbanded, with its gunmen folded into the security services or national parliament. Yet while it may have given up its paramilitary operations, the group's political leaders remained committed to providing welfare services and “protection” to Shia communities in a long line of Shia state within a state activities.⁵⁸ In any event, the Sadrists remobilized their paramilitary wing in 2014 in

order to fight the Islamic State after the national army's repeated failures to do so.

Although the Sadrists organizations decided that the best bet for their future was to sign on to a broader Shia bloc, they have long dropped hints that they are willing to return to the barricades. It is incorrect to imagine that Sadr has full control over them in this respect, or that his own followers' actions do not tie his hands because the organization has a very ill-defined power structure since it aspires to be a big tent movement over its rivals, including members of Sadr's own family.⁵⁹ “The Mahdi Army has become a worrisome burden on the Sadrists movement, which seeks to become a political faction that does not work with weapons,” reported an Iraqi journalist in 2013, adding that most of the movement's leadership outside of Sadr's own circle subscribes to the view that the electoral process cannot be trusted to protect their communities' security.⁶⁰ This sort of behavior is driven by lack of security, but it is also driven by the common themes of “political ambition, and the imperatives of resource generation” in a country where state capture is the objective of most organized political actors.⁶¹

The Sadrists and the current ruling coalition now find themselves confronted with Shia militias like Asaib Ahl al-Haq, which while declaring its support for a united Shia bloc in parliament uses intimidation to

dfviewer?vid=18&sid=012545a9-6521-4dc9-915a-a3e4383c5b05%40sessionmgr111&hid=104.

⁵⁵ Ibid., 460.

⁵⁶ Williams, “Criminals, Militias, and Insurgents: Organized Crime in Iraq,” 202.

⁵⁷ Ibid., xv.

⁵⁸ Davis, “Sectarianism, Historical Memory, and the Discourse of Othering,” 96.

⁵⁹ Harith Hasan, “Is Muqtada al-Sadr retiring or repositioning?” *Al-Monitor*, Transl. Rani Geha, *Al-Monitor*, February 21, 2014, accessed on May 7, 2014. <http://www.al-monitor.com/pulse/originals/2014/02/sadr-decision-retain-repositioning.html#ixzz312eE9Ld7>.

⁶⁰ Ali Abel Sadah, “Sadr Reconsiders Political Role, Mahdi Army,” Transl. Sahar Ghousoub, *Al-Monitor*, August 28, 2013, accessed on May 7, 2014. <http://www.al-monitor.com/pulse/originals/2013/08/iraq-clashes-mahdi-army-asaib-ahl-al-haq-sadr.html#ixzz312cdBVDx>.

⁶¹ Williams, “Criminals, Militias, and Insurgents: Organized Crime in Iraq,” xi.

compete with its fellow Shia.⁶² Within the Shia communities of Iraq, then, is a lack of acknowledgment for “a larger and more diverse cultural and political universe.”⁶³ Even at the height of his power, Maliki only directly controlled a few military units: he was otherwise very reliant on former members of the Badr Organization, who were at odds with the Sadrists.⁶⁴ A proliferation of such organizations weakens state structures and the idea of an “Iraqi nation” through parochialism. The Sadrists, in particular, are characterized by vigilantism and extensive local autonomy that cannot easily be reined in.⁶⁵ Newer groups formed in the wake of the army’s 2014 disasters, are much more assertive in using armed action to carve out a space for themselves. One of these new militia leaders, when asked by a reporter “will you train the security forces, or bring your own men?” in the event of further jihadist attacks on Shia communities said that he would bring his own men in.⁶⁶ Though there is no reason to doubt that sectarian beliefs are sincerely felt as part of their worldview, it is worth noting that religious fiat is merely the tool that paramilitaries use to win political power by force.

⁶² Ali Mamouri, “The Rise of ‘Cleric Militias’ in Iraq.” Transl. Tyler Huffman, *Al-Monitor*, July 23, 2013. <http://www.al-monitor.com/pulse/originals/2013/08/iraq-clashes-mahdi-army-asaib-ahl-al-haq-sadr.html#ixzz312cdBVDx>.

⁶³ Davis, “Sectarianism, Historical Memory, and the Discourse of Othering,” 69.

⁶⁴ Thomas E. Ricks, “The Best Defense Iraq, the unraveling (VI): looming intra-Shia violence?” *Foreign Policy*, April 24, 2009, accessed on May 5, 2014. http://ricks.foreignpolicy.com/posts/2009/04/24/iraq_the_unraveling_vi_looming_intra_shia_violence.

⁶⁵ Williams, “Criminals, Militias, and Insurgents: Organized Crime in Iraq,” 239.

⁶⁶ Watheq al-Battat, “Iraqi Shiite Militia Leader Watheq al-Battat: I Would Support Iran in a War against Iraq,” *MEMRI*, October 23, 2013, accessed on May 7, 2014. http://www.memri.org/clip_transcript/en/4046.htm.

CONCLUSION: IRAQ’S INSTITUTIONAL ANEMIA

As Toby Dodge writes, Iraq was imagined by its American occupiers as a country where the central government’s “capacity is ultimately grounded in the extent to which its administrative staff successfully upholds the claim to the monopoly of the legitimate use of physical force in the enforcement of its order.”⁶⁷ The dictum that “the real goal is to create as many Iraqis as possible who feel they have a stake in the new Iraq” sounds like an effective solution, but the reality is that without an agreed-upon “Iraqi state,” the violence will continue within and among armed factions.⁶⁸ This underlines just how much the Government of Iraq has failed to create conditions conducive to the formation of a sense of national identity (or even sectarian identity) that, if felt across the political spectrum, would help reduce violence within Shia communities, and against out-groups like the Sunnis or other minorities by the Shia-dominated security services.⁶⁹

A state structure that Iraqis of all creeds and ethnicities can accept as legitimate requires “space for societal actors to determine for themselves what the good life is and how to achieve it.”⁷⁰ Ultimately, the state can only be accepted as legitimate when it operates in “a regularized fashion.”⁷¹ The only way forward is for civil society—which despite all of the setbacks and catastrophes of the past decade (and its stunting under

⁶⁷ Toby Dodge, “Iraq: the contradictions of exogenous state-building in historical perspective,” *Third World Quarterly* 27, no. 1 (2006): 189, accessed May 7, 2014. <http://ezproxy.library.nyu.edu:15301/eds/pdfviewer/pdfviewer?vid=15&sid=012545a9-6521-4dc9-915a-a3e4383c5b05%40sessionmgr111&hid=104>.

⁶⁸ *Ibid.*, 190.

⁶⁹ Dahr Jamail, “Maliki’s Iraq: Rape, Executions and Torture,” *Truthout*, March 21, 2013, accessed May 20, 2014. <http://truth-out.org/news/item/15246-malikis-iraq-rape-executions-and-torture>.

⁷⁰ Barnett, “Building a Republican Peace,” 90.

⁷¹ Bouillon, “Iraq’s State-Building Enterprise,” 290.

Saddam Hussein and other autocrats) has grown tremendously with the loosening of censorship and state patronage—to develop, and learn “the arts of consensus building, [and] compromise.”⁷² The challenge remains: that civil society move toward underwriting a state structure, especially, a working legislative process and a national army not beholden to different tribal leaders and bureaucratic factions.

Now that some factions have started to grope towards a consensus of state power, they can no longer ride out in opposition and must make compromises to compete within the framework set by the central government. This often means cooperating with an out-group and enforcing conformity among internal dissenters. Ideally, this should strengthen the community's sense of being protected by the state and thus, part of a single nation within the state's borders. But in order to placate core constituencies, some groups will brutalize and extort both Sunni and Shia citizens. Clearly, a civil society that does not resort to violence to win a share of the pie is still a long way off in light of the Shia parties' recent debates over how to do just that.⁷³

The door the Americans opened is not going to close anytime soon, so a “national identity” will likewise remain elusive, especially as the counterinsurgency against the Islamic State takes on a more sectarian character. Shia militias persecute *all* Sunnis in an area of operations, regardless of their complicity. Kurdish forces have evicted non-Kurds from their areas of operation for “security reasons,” and Sunni communities have turned on their non-Sunni neighbors, especially if they are part of Iraq's smallest minority groups (and therefore, the least militarily-organized or influential). The Iraqi

state remains over stated, and increasingly, so is the concept of a common Iraqi nationality whose survival is now in much more doubt than it ever was during the first years of the Iraqi Civil War.



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⁷² Jabar, *Postconflict Iraq*, 16.

⁷³ Marr, “Where Is Iraq Headed?” 371.