

RISE OF THE MILITIAMEN

Paramilitaries Wield Power in a Land Where Saddam Hussein
Once Ran a Brutal One-Man Show

By Renad Mansour

For Iraq, the year 2014 is a painful memory. A band of jihadists, known as the Islamic State in Iraq and Syria (ISIS), swept through the Euphrates Valley and conquered several Iraqi cities, including Mosul, the second largest. Militants numbering in the thousands forced the retreat of Iraq's newly built national army and seized control of one-third of the country. Considering that the often-used definition of a state is an entity capable of controlling legitimate violence or wielding coercion, to many Iraqis the fall of Mosul signified the failure of efforts to reconstruct the Iraqi state following the ouster of Saddam Hussein's regime in 2003.

Leading the invasion of Iraq fourteen years ago, the George W. Bush administration destroyed the state. In ending Saddam's Baath Party rule, it also replaced the centralized and unitary state fashioned by the British in 1920 after the collapse of Ottoman control with a decentralized, federal state. The logic of the new state was that a weak central government could prevent a return of the horrors of the past, when a dictator ruled the county with an iron fist. It was also imagined that weak central authority could facilitate a new democratic system representative of the diverse ethno-sectarian social fabric of Iraq.

Rather than producing a central government able to grant power to its provinces and regions, however, this federal system created a weak central government unable to control much of its territory. In these ungoverned spaces, where the government in Baghdad could not provide security or legitimate representation, ISIS emerged.

The new Iraqi state was a compromise between a Shiite leadership guided by a history of political disenfranchisement and a Kurdish leadership interested in autonomy and eventual independence. The new state had very little accommodation for minority Sunni Arabs, who as a group had enjoyed relative privilege during Saddam's rule. Many

▷ Iraqi soldier during
battle with Islamic State,
Talkeef, Jan. 20, 2017.
*Khalid Al-Mousily/
Reuters*



Sunnis initially rejected the state-building process, while Shiites and Kurds resisted intracommunal conflict and presented unified Shiite and Kurdish fronts in creating the new Iraq.

The new Iraqi state was defined by ethnic and religious identities. A quota system meant that the Shiite and Kurdish elite dominated posts in the security sector's senior leadership. Not surprisingly, Iraq's new rulers were wary of the Iraqi army, which had a long history of persecuting Iraqi Shiites and Kurds. This helps to explain why since 2006, under the governments of Nouri Al-Maliki and then Haider Al-Abadi, the posts of minister of defense and interior often remained vacant. In negotiating the construction of the new state, the priority of Shiites and Kurds was to prevent the reemergence of the Sunni-led unitary state, which meant in part guarding against a strong army that could take power by force.

For Kurds, pushing for a weaker central government translated into a stronger Kurdistan, a prerequisite for eventual Kurdish independence. With the goal of keeping the Iraqi military out of Kurdistan, Kurds won a provision in the 2005 constitution that legalized the peshmerga as the region's national guard. The constitution stipulated that "the regional government shall be responsible for all the administrative requirements of the region, particularly the establishment and organization of the internal security forces for the region such as police, security forces, and guards of the region." The Kurdish Regional Government (KRG) also angled to prevent the U.S. and other international policy makers from supporting the development of a strong Iraqi air force.

By his second term in office from 2010 to 2014, Al-Maliki, a longtime senior member of the Shiite Dawa Party, sought to keep state institutions weak and his personal power as prime minister strong. Dawa policy was driven by the ideological thinking of Muhammad Baqir Al-Sadr, who argued that the state needs to be strong and not reliant on paramilitaries. Dawa even refused to form an armed wing throughout the years of resisting the Saddam Hussein regime, in contrast with Shiite counterparts such as the Islamic Supreme Council of Iraq with its Badr Corps. Al-Maliki initially adhered to the Dawa ideological line during his first term from 2006 to 2010; he targeted both Sunni groups such as Al-Qaeda in Iraq and Shiite groups such as Shiite leader Muqtada Al-Sadr's Mahdi Army. To symbolize his policy, Al-Maliki even called his Dawa-led electoral list in the 2010 parliamentary elections the State of Law Coalition.

But Al-Maliki reversed Dawa's statist approach in his second term and undertook to take control of state military power and to overtly support paramilitaries as an instrument of personal influence. The defeat of Al-Maliki's State of Law Coalition in the 2010 elections left him wary to the point of paranoia about all political opposition, whether Shiite, Sunni, or Kurdish, and he undertook steps to insulate himself from a possible military coup. He drew closer to Iran, which had successfully brought the Shiite parties,

including rival Muqtada Al-Sadr, together to support Al-Maliki's retention of the premiership. Al-Maliki's closer alliance with the Iranian regime headed by Supreme Leader Ayatollah Ali Khamenei shaped many of his security considerations after 2010.

To ensure a weaker state security apparatus, Al-Maliki took power away from the official institutions that fell under the Council of Ministers, such as the ministries of Intelligence, Interior, and Defense. He created the Office of the Commander of Chief, which housed the Iraqi Special Operations Force (ISOF), and other elite intelligence and security forces. Al-Maliki's moves made the strongest military actors in Iraq accountable to himself as prime minister rather than to state institutions susceptible to the checks and balance of the parliament, which had no oversight over the executive's prerogative during these years.

To further undermine the state security apparatus and also to head off any potential threat to his rule, Al-Maliki began forming alliances with paramilitaries in coordination with Iran. Pivoting from his "state of law" campaign, he established relations with groups such as Hadi Al-Ameri's Badr Organization, a former wing of Ammar Al-Hakim's Islamic Supreme Council of Iraq, and Qais Khazali's League of the Righteousness, a former part of Al-Sadr's Mahdi Army. In 2011, in a policy endorsed by Iran, new Shiite paramilitaries began forming with the objective of fighting to support the Bashar Al-Assad regime in Syria. Prior to 2014, seven Shiite paramilitary groups loyal to Al-Maliki and Iran had become operational: Badr, Asaib ahl Al-Haq, Kataib Hezbollah, Kataib Sayyid Al-Shuhada, Harakat Hezbollah Al-Nujaba, Kataib Jund Al-Imam, and Kataib Imam Ali.

After ISIS

Due to demographic realities, the reconstructed Iraqi army following Saddam Hussein's ousting took on a Shiite character. By December 2014, polls indicated that only 28 percent of Sunnis and 14 percent of Kurds believed that the Iraqi army was representative. Some even called it "Al-Maliki's Army." These groups preferred working with their own security organizations. The Kurds relied on the peshmerga. During the Sahwa (Awakening) Council campaign to fight jihadist insurgents, drawn up under U.S. commander General David Petraeus, Sunni Arabs rallied behind tribal and local security forces rather than the unstable Iraqi army. With the collapse of the Iraqi army during the ISIS onslaught in 2014, even the Shiite majority turned to local groups and paramilitaries.

In June 2014, as ISIS fighters were capturing Mosul and threatening to roll onward to Baghdad, Al-Maliki formed the Popular Mobilization Units (PMU), an umbrella organization of some sixty predominantly Shiite paramilitary groups with approximately 110,000 fighters. Many Shiites believed that the PMU spared the Iraqi capital from an ISIS assault, and rallied around a military organization that evoked national

pride. By 2015, every political party in parliament had lost popular support except the Badr Organization, which was largely due to its affiliation with the PMU.

PMU paramilitaries answer to different leaderships, which can be broken down based on allegiances to Iran, Muqtada Al-Sadr, or Grand Ayatollah Ali Al-Sistani, the highest Shiite authority in Iraq. The pro-Iranian factions receive considerable funding from Tehran. It is represented by powerful figures such as Al-Maliki, the Badr Organization's Al-Ameri, the League of the Righteousness's Qais Khazali, among others. The group behind Al-Sadr includes the remnants of the Mahdi Army under a new banner, the Peace Brigades. The remaining militias consist of fighters who answered Al-Sistani's 2014 fatwa calling for volunteers to fight ISIS.

One of Al-Maliki's last moves before giving up the premiership was creating the PMU Committee within the Interior Ministry. After Prime Minister Al-Abadi assumed office in September 2014 he recognized the PMU Committee and agreed to provide it with \$1 billion in annual funding. He further legitimized the PMU in February 2016 by issuing an order describing it as "an independent military formation and a part of the Iraqi armed forces, and linked to the general commander of the armed forces." Finally, in November 2016, Iraq's parliament recognized the PMU as an official security institution of the state.

In Sunni-majority areas, the PMU has become the main administrator of money and weapons for local security forces taking up the fight against ISIS from their communities. This effectively is a move to implement a law favoring local security forces as an element of Iraqi state-building, as non-Shiite groups are included in the PMU. In the battles against ISIS, Sunni fighters went to the PMU for funding and arms. This amounts to a reemergence of the Sunni Awakening Councils, which were initially set up in 2008; in his second term, Al-Maliki abandoned the program and withheld funding for the Sunni tribes, claiming concerns about Al-Qaeda collaboration.

The expected defeat of ISIS in the Battle of Mosul will hand Iraq's leaders another chance to rebuild the state. But the demise of Iraq's unitary system has resulted in a blurred line between state and non-state security actors and a reconceptualization of the Iraqi military. The predominance of the paramilitaries became the norm as Iraqis moved toward the defeat of the jihadists. Though integral in the fight against ISIS, the establishment of the PMU now carries huge risks for Iraq's future.

Building respect for the rule of law is one challenge. Human rights groups allege that various militias within the PMU have committed war crimes. Similarly, Iraq's police in the Defense Ministry have been accused of crimes during the war.

The growth of Iranian influence through the rise of the Shiite paramilitaries represents another serious hurdle for state building and reform of the security sector in post-ISIS Iraq. There is no sign that the PMU's militias that existed prior to Al-Sistani's

fatwa will disband after the expected defeat of ISIS, and given the PMU's official state recognition, they will hold considerable autonomy. The pro-Iranian militias have at times worked to undermine Al-Abadi's rule. For Al-Maliki, Al-Ameri, and Khazali, the ultimate goal is to remove Al-Abadi from power. They will attempt to use the PMU's legitimacy and popular standing for their own political gain. In 2016, Al-Maliki even tried to change the name of his coalition from "State of Law" to "Popular Mobilization Units" to associate himself with the PMU's popularity.

Another challenge is the one posed by the internal conflicts within the Shiite community. The Al-Sadr and Al-Sistani factions oppose the institutionalization of the paramilitaries. Al-Sistani, who refuses to refer to the PMU but rather says "volunteers," is upset that pro-Iranian leaders interpreted his fatwa as justifying the formation of militias when the ayatollah's call for volunteers was intended as encouragement to join the army or police. Al-Sadr and Al-Sistani are demanding that the militias eventually be disbanded, with their members integrated into the ministries of Defense and Interior. In any case, the Al-Sadr and Al-Sistani factions complain that they do not receive a fair share of salaries from the PMU Committee.

It also remains to be seen what role the PMU will play in the Sunni areas like Mosul once they are liberated from ISIS rule. The fighting resulted in a rare marriage of convenience between the pro-Iranian militias and local Sunni tribal fighters. Fighters loyal to the former governor of Mosul, Athil Al-Nujai, receive cash and weapons from the PMU Committee. And for now, the pro-Iranian militias are eager to showcase a nonsectarian character in a bid to increase their legitimacy in the eyes of Iraqis. However, the pro-Iranian group is led by Al-Maliki, who as prime minister cut off funding to the Awakening Councils and precipitated their collapse. Looking forward, the PMU will look for new ways to remain relevant and separate from the state security apparatus. This will include maintaining a presence in areas in Diyala, southern Kirkuk, northern Nineveh, and along the Iraq-Syria border.

The Battle of Mosul may signal the end of the ISIS state-building project, but victory will be the start of a new era in Iraq that is fraught with more hazards.