Post-ISIS Iraq and the Shia Armed Groups

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The political environment of Iraq in the period from 2011-2014 experienced a great degree of turbulence. Many Sunni tribes in the Anbar, Ramadi and Salahadin regions organized a daily protest against the central government, accusing it of being sectarian. Gradually, these protests become more popular, and the Baghdad government became fearful that it would spread into the other regions of Iraq. In order to control the protests, the government used force, and many were killed. Simultaneously, in Syria, and especially during 2013-2014, the Islamic State in Iraq and Syria (ISIS) controlled more land and more people, and to take advantage of the Iraqi people's dissatisfaction with their government, ISIS crossed the border between Iraq and Syria in June 2014. Mosul as the second most heavily populated city was seized by ISIS and the Iraqi army could not fight back, which meant that the Iraqi army retreated from most of the Sunni areas. Even Baghdad, the capital of Iraq, and the city where the central government operates, was threatened. While the Iraqi army was unable to fight against ISIS, the Shia religious supreme leader Al-Sistani called for self-defence and to stand against ISIS. Sistani's call became a cornerstone for the creation of the so-called Popular Mobilization Forces (PMF) with the aim of the fighting against ISIS. In this article, we assess the PMF from different perspectives, for example, using the Weberian theory that the state is the only entity that has a monopoly on violence, considering Ariel Ahram's model of state-sponsored and government-sponsored militias, and finally the devolution of violence to these armed groups.

Introduction

The period in 2003 following the removal of Saddam Hussein and the Baath Party resulted in a power vacuum that was difficult to fill. During two months from March to May 2003, the role of the coalition forces in Iraq changed from fighting against the Baathist regime to being a service provider for the Iraqi population. In order to control the chaos that was widespread across Iraq, the US diplomat Paul Bremer was chosen by the White House to lead the US-led coalition. Bremer's role was to create a new Iraqi regime based on the American ideal[1]. The main idea of Bremer's plan was to reform a new Iraq under the concept of 'ethnic power sharing'. From this point on, Iraq has been divided into three main sects: Kurds, Sunnis, and Shias. The re-creation process of the new Iraqi political system has resulted in the reinforcement sectarianism found in Iraqi society since 2003[2].

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The first step in this direction started with the so-called Iraqi governing council (Majlis Alhukem) replacing Saddam Hussein's government. Majles Hukem consisted of representatives from the main Iraqi ethnic groups, and the intention was to create a roadmap for a new constitution and the formation of a new government. Ironically, many members of the Majles Hukem had only returned to Iraq via the American and British forces and were unpopular among the majority of Iraqi society. Through the Majlis Hukem, Shia politicians could impose their conditions on the other ethnic/religious groups. In the beginning, they were able to achieve an agreement with the Kurds regarding the senior positions in the Iraqi government. For example, the Shias should be given the prime minister's position because they were the majority, but the Kurds could receive the president's position. The division of the highly important positions between the two groups left the Sunnis feeling excluded from the political process. Another exclusion policy that was used was that of de-Baathification and disbanding the Iraqi national army, which resulted in many thousands of Sunni citizens becoming jobless[3].

Therefore, the majority of the Sunnis chose to support the rebel groups against the coalition forces and the Iraqi government. The development of sectarianism in Iraqi society became the basis for the reconstruction of state institutions, and this was reflected in all state

apparatus. For example, the new Iraqi military and the intelligence agency were the under control of the Shias, and the country's foreign affairs were in the hands of the Kurds[4].

The turning point for Iraqi society was June 10, 2014, when ISIS took control of the second largest city in Iraq, Mosul. The Iraqi government thus lost the majority of its Sunni cities and population to ISIS. Moreover, the Iraqi military lost its willingness to fight in many Sunni areas because the population did not consider the Shia soldiers to be a national army. This new phase of political turbulence and the expansion of violence started when the Iraqi army lost its morale in the fight against the insurgent ISIS fighters. This resulted in calling for the organization of the Shia people into the so-called Popular Mobilization Forces (PMF) (in Arabic the Hashed Shabi) against ISIS.

Framework

In this article, the authors try to highlight the importance and the influence of the newly emerging Shiite armed groups on the political system in the Middle East and the role these armed religious will have both locally and regionally. We have chosen to focus on post-ISIS Iraq and the emerging non-state armed groups such as the Popular Mobilization Forces (PMF). In short, the aim will be:

1. To describe the nature of the composition of the militias, their structure and the extent of their impact on other institutions within the state.
2. To illustrate the transformations of the structure of the Iraqi military establishment after the entry of the militias into this institution.
3. To draw attention to the militias and to which role these armed groups will play in post-ISIS Iraq. Additionally, to consider how the Iraqi state will look in a post-ISIS era and how the post-ISIS Iraqi state can coexist with the PMF.

It may seem difficult to adopt a single approach to cover and analyse all dimensions of this phenomenon, i.e., the formation of units of the militias and their annexation to the military institution. Therefore, the article is based on several approaches presented by the analytical approach and the description, definition, and composition of militias and factors that led to their establishment. Moreover, in some respects, the article will rely on a historical approach, especially in the aspects and the emergence of militias. Furthermore, it will adopt a comparative ap-

proach when necessary, e.g. in a statement of similarities and differences in the structure of the militias such as the Lebanese Hezbollah and with the Iranian Basij. The article is based on the hypothesis that the formation of Shiite militias in Iraq and their inclusion in the military establishment will be a factor for stability, security and security. However, if they do not reintegrate into the Iraqi security apparatus, they are likely to lead to chaos and control of the military establishment by these groups.

The composition, arming, budgeting and annexation of militias to the military and within a legal framework through the Iraqi Parliament has resulted in a variety of violent reactions by Iraqi parties and sects, especially the Sunni community. The question is whether these groups will merge with the military establishment or remain an independent institution parallel to the military establishment. Alternatively, will it entail power over power?

The Militias and the Weak States

According to Richard Jackson, insecurity in a weak state is one of the reasons for the creation of militias. The majority of Middle East states were defined as weak, and the common characteristic among them is the insecurity challenge. Buzan claims that there are three elements central to the existence of a strong state[5]:

1. The idea of the state
2. Institutional capacity
3. A physical base

For Buzan, the idea of the state is essential to having a peaceful society, and he claims that society will reach a consensus regarding the state and identify with it. In the case of Iraq, it is difficult to find a broad and appropriate social consensus regarding the Iraqi state. For example, after the collapse of Saddam's regime, the majority of the Sunni boycotted the political process under the observation of the US. This led to resistance against both the Iraqi state and the US presence and finally led to the creation of Sunni insurgents[6].

A measurement and identification of the insecurity in weak states is that they are to a high degree more vulnerable to internal threats than to external threats. The Sunni insurgents and their disagreement with the Iraqi state exemplify the most difficult internal threat against the Iraqi state. Another perspective regarding the creation of the militias is from Max Weber. The Weberian theory assumes that the state is the only entity that has a monopoly of violence:

Today, however, we have to say that a state is a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory. Note that 'territory' is one of the characteristics of the state. Specifically, at the present time, the right to use physical force is ascribed to other institutions or to individuals only to the extent to which the state permits it. The state is considered the sole source of the 'right' to use violence[7].

When the Iraqi state's establishments were unable to protect its internal and external security, then the existence of the militia became a natural consequence: "...Weberian accounts of militias as constitutive of state failure"[8].

For example, consider Lebanon when it became classified as a failed state. Consequently, militias such as the Hezbollah act as a state and present themselves as an alternative to the state. In so doing, they addressed many issues such as providing jobs by investing their money in small industries and offering free health care for poor people. The real cause of the existence of militias in Middle Eastern societies is the states' weakness and lack of legitimacy.

The Shia revival in post-Saddam regime

After the collapse of the Iraqi regime in 2003, The U.S.-led coalition forces decided to recreate a new regime by so-called 'ethnic power-sharing':

> Most foreign policy makers currently seem to favour a power sharing arrangement for the future Iraq, such as the so-called consociational democracy[9].

This meant that the Kurds, the Sunnis, and the Shias should participate in ruling the country. The Iraqi governing council (IGC), which was established three months after the occupation of Baghdad, was based on this principle. The IGC consisted of 25 members, and its ethnic and religious breakdown included 13 Shias, five Sunnis, five Kurds (also Sunnis), one Turkman and an Assyrian[10]. On June 1, 2004, the IGC dissolved after the creation of the new Iraq interim government (IIG) as a caretaker government to govern Iraq until the drafting of the new constitution. The Iraqi transitional government replaced the IIG from May 3, 2005, until May 20, 2006, and it arranged an election to choose the national assembly on January 30, 2005. This assembly drafted a permanent constitution, which was then submitted for approval

by the Iraqi people in a general referendum. The new constitution was approved, and the Iraqi legislative authority was vested in two bodies: The Council of Representatives and The Council of Union. The post-Saddam period may be described as a rising of the Shia sect in Iraq and, at the same time, the exclusion of the Sunnis[11]. The turning point for the Shia revival began with Said Ali Al-Sistani's (the most influential and famous Shia cleric) call for the Shias' active participation in the first parliamentary election in 2005. The majority of the Shia political parties combined themselves into a bloc to participate in that election with the aim of winning as many seats as possible – which they succeeded in doing[12]. Even the majority of the Iraqi transnational government were Shias, and its prime minister was Ibrahim Jafari (a Shia politician), though this did not mean a return to stability for Iraq. This was because the majority of the Sunnis felt excluded and blamed for Saddam's brutal policy in Iraq, and this pushed the Sunnis to cooperate with terrorist groups such as Al-Qaida to fight against both the Americans in Iraq and the Iraqi government. Iraqi society under Jafari's cabinet faced a terrible period, and there was a high level of sectarian conflict. The instability in Iraq continued until an unknown Shia politician (Nouri Al-Maliki) came into power. In an article published in *Washington Post* in 2014, Ali Khedery, an American Special Assistant to the US Ambassador and a Senior Adviser in Iraq (2003-2009), explained the process of choosing of Al-Maliki for the role of a replacement for Jafari. According to Khedery, Al-Maliki was unknown to the former American Ambassador (Zalmay Khalilzad) and most Iraqi people, but Khalilzad, after recommendations from Khedery and Jeffrey Beals, a former American diplomat, succeeded in garnering support among Iraqi leaders for giving Al-Maliki the position of prime minister[13]. On May 20, 2006, Al-Maliki became prime minister for Iraq and stayed in power until 2014. In the next part of this article, I will highlight the sectarian policy that was used by Al-Maliki during his eight years as prime minister against the majority of Sunnis in cities such as Anbar, Salahadin, Tikrit, and Mosul.

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Sectarian policy during the Al-Maliki government

Nouri Al-Maliki could, with support from the US, Kurds, Sistani, and Iran, return stability to the majority of Iraq. It was part of his political program to disarm Sunni and Shia militias in Baghdad, which he succeeded in doing.

Al-Maliki said Iraqi society must be cleansed of terrorism, the government must be rid of 'administrative corruption' and factional militias must be disarmed. "We must also address the issue of government centrality and the centrality of the armed forces and that weapons must only be in the hands of the government and the people must be disarmed," he said.

He said that "no militia in Iraq can share authority with the government's armed forces".[14]

During his first term (2006-2010), Prime Minister Al-Maliki centralized power into his own hands and succeeded in transforming Iraq to single-party rule, and the majority of Shias supported his policy against the Sunnis. Ultimately, this resulted in the ethnic cleansing of Sunnis, especially in Baghdad, for example:

Baghdad went from some 45% Sunni in 2003 to only 25% Sunni by the end of 2007. Al-Maliki's sectarianism led to the transformation of Baghdad into a largely Shiite city[15].

The Shia monopoly corrupted the police, military, and court institutions. These institutions allowed only for candidates adhering to Shia principles and, especially during the Al-Maliki period, these candidates also had to be loyal to his party.

Consequently, Sunnis were excluded from these establishments. In Sunni-dominated cities such as Al-Anbar, Al-Salahadin, and Mosul, people considered the police and court institutions to be a tool in the hands of Shias to eliminate Sunnis. This was the main cause of the dramatic seizure of power of these cities by ISIS, and the Sunnis observed their chance to get rid of the Shia tyranny. At this point, Iraq entered a new phase in which large parts of Sunni cities were under ISIS control, and the police and army were powerless to fight back. One of the most important tasks of the nation-state from its beginning was to protect its internal and external security. The same idea exists in the new modern nation-state:

The differentiation between internal and external security, and between police and military, has been a core principle of the modern nation-state[16].

Internal security is the responsibility of the police, but external security is a task for the military. This does not, however, mean that the state should only protect its external security using its military. Many countries today do not protect their external security with a national military; instead, they tend to outsource it. The idea of outsourcing national security has attracted democratic states such as the USA and the

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UK. The US government has contracted with many private American military companies and security consulting firms, such as Blackwater, to provide security for their representatives in foreign countries[17]

Considering Iraq's internal and external security, it was difficult to see who was responsible for protecting the country's internal security due to the misuse of security institutions. Under the former Prime Minister Nouri Al-Maliki, both the police and army were controlled by his Shia party, and all top positions in the defense system were directly affiliated with Al-Maliki.

John Kerry's plan for Iraq

After the unexpected collapse of the Iraqi military system in 2014, Sistani issued a fatwa for the Shia population to defend their city against ISIS. This fatwa transformed Shia identity toward a feeling of greater commitment to their sect than to their nation and generated a renewed desire among them for revenge[18]. Simultaneously, the Iranian regime welcomed Sistani's fatwa, supplying the Iraqi government with intelligence and providing Hashed Shabi with training and new weapons. After the creation of Hashed Shabi, the Iraqi army's role changed from defending the country from any threat against its sovereignty to supporting and assisting the Shia militia. In contrast to Sistani's fatwa, and to get Sunnis involved in the war against ISIS, the US foreign minister John Kerry came up with a new idea, using a 'National Guard' as part of the US plan for fighting against ISIS in Iraq:

> ...On Wednesday, Mr. Kerry held a whirlwind series of meetings in Baghdad with Haider al-Abadi, the new Iraqi prime minister, and other top Iraqi officials. Afterward, Mr. Kerry told reporters that Iraqi leaders had made sufficient political progress toward forming an inclusive government to warrant further cooperation with Iraq against ISIS, including efforts to help train Iraqi security forces. "We stand by Iraq as it continues to build a government that meets the needs of each of Iraq's diverse communities", Mr. Kerry said.
>
> Mr. Kerry hailed the Iraqis' decision to create new National Guard units that would be recruited locally and given the main responsibility for security in their home areas. "The United States is prepared to provide technical advice and assistance in order to help the Iraqis move this very important initiative forward", Mr. Kerry said[19]. (Gordon & Schmitt, 2014)

The same idea/plan was used by Americans in 2006-2009 when they organized Sunni tribes in the Sunni-dominated cities under the so-called *Al-Sahawat* movement (Awakening Councils) to fight against *Al-Qaida*. In contrast to the *Al-Sahawat*, the National Guard should be an inclusive entity with representation from among all Iraqi ethnicities. The National Guard in Iraq represents the US strategy to combat ISIS and then reconstruct Iraq's security sector.

The main goals of the National Guard were the following[20]:

1. The National Guard should replace the Iraqi army institution, and it should protect Iraq from sectarian divisions.
2. Kurdish fighters (*Peshmerga*) should also integrate at this time within the National Guard because they were well-trained in comparison with Sunni and Shia fighters.
3. The integration of the Sunnis into the National Guard was one of the most important goals because, first, the Sunnis did not feel that they were allowed sufficient participation in the national army and the institution was used by Nouri Al-Maliki over 2006-2014 to consolidate his power. Second, this would eliminate the excuse used by ISIS that they were fighting for Sunni rights and their future in Iraq.

    US officials said al-Abadi had promised to create a national guard of local fighters to secure Iraq's 18 provinces – each run by a governor. That would ensure that the Iraqi army and its mostly Shia force would not be in charge of security in Sunni regions. That would bring salaried jobs, government pensions and other benefits to areas of Iraq neglected during Al-Maliki's eight years in power and which proved a fertile breeding ground for ISIS[21].

The Iraqi Parliament passed a new law establishing the National Guard, though this has not yet been approved because of the impossibility of gaining broad agreement between different fractions. There are many critics of the National Guard because, on the one hand, it gives legal permission to create a militia for each one of Iraq's 18 provinces and, on the other, it would militarize the whole of Iraqi society[22].

The criteria for militias (PMF as a militia)

In this section, the so-called Hashed Shabi and the proposal for a National Guard are evaluated according to militia criteria.

> ...it can describe anything between a dozen individuals armed with hunting rifles, to a force of millions equipped as well as a professional army[23].

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The above definition is one of the broadest explanations of the militia and, to some extent, it is difficult to use it to identify Hashed Shabi. Therefore, I think it is necessary to have another and more limited definition of militia. For an academic approach, Saeid Golkar's identification is used[24]:

1. Maintaining local defense.
2. Upholding law and order.
3. Violating human rights and fostering insecurity.
4. Controlling security in weak states.
5. Recruiting members from local communities.

The Shia militias can be identified by all these criteria. After the sudden collapse of Iraqi security in 2014, many cities of Iraq needed protection. Therefore, young men with access to guns organized themselves and took control of their communities. The militias in Iraq not only protected their cities but also began to attack other cities in revenge. For example, Shia groups such as the League of the Righteous, after they conquered the city of Tikrit, began to loot and kill the survivors[25]. Also, it is crucial to categorize these Iraqi militias in order to reveal to which militia type they belong. According to Ariel Ahram's book (Proxy Warriors: The Rise and Fall of State-Sponsored Militias[26]) there are five types of militias, and they have a deep impact on the peaceful coexistence of society: (See table 1)

The Shia militias in Iraq can be seen as pro-government. This is because groups, such as Bader, League of the Righteous, Hezbollah in Iraq, and Sadr, were financed by the central government in Bagdad, show their loyalty to the central government, and coordinate their actions with the government[27]. The coordination with the Iraqi government came about following a push from the US, as the leader of coalition forces against ISIS in Iraq. The coalition forces were concerned about the Shia militias' activities in the Sunni areas and their behavior toward the Sunni population. In addition to this, the US showed their concern with Iranian involvement and Iran's influence on these militias[28].

Finally, this argument underlines that the groups (Bader, League of the Righteous, Hezbollah in Iraq, Sadr) could be identified as pro-government concerning the classification below by Sabine Carey, Neil Mitchell and Will Lowe[29]:

1. is identified as pro-government or sponsored by the government (national or subnational)
2. is identified as not being part of the regular security forces

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3. is armed
4. has some level of organization

The future of Iraqi state as a hybrid state

According to many political scientists, such as Joakim Ekman, Jean-François Gagné, and Leonardo Morlino, the hybrid state is a phenomenon where the state is trapped between two structures: one is a non-democratic framework and the second is democratic[30]. The state's institutions have difficulty adopting democratic behaviors because of their authoritarian background. The legitimacy of the state is not wholly lacking; instead, its legitimacy is acquired and exploited in dubious ways and often remains contested[31]. This is one of the most critical drivers of the creation of militias in many Middle Eastern countries, including Iraq, Syria, Libya, Lebanon, and Yemen. According to Joakim Ekman, states that fit the hybrid regime profile can be identified based on the following characteristics[32]:

1. Elections that are not too flawed and that have the potential to make a difference;
2. Significant levels of corruption, particularly in the judicial and electoral areas;
3. A lack of vital components of democratic quality, such as checks and balances and government accountability;
4. A problematic press freedom situation, typically including incumbents' desire to control the media, particularly television;
5. A poor civil liberties situation, including limits on the freedom of expression and the freedom to form organizations and trade unions; and
6. A problematic rule of law situation, including a lack of judicial independence.

Also, Amin Massoud, a Tunisian researcher, emphasizes four components that result in a hybrid state[33]:

1. The militias replace the military system.
2. Central government consists of sectarian cantons.
3. The legislative system is more than customary laws and less than constitutional provisions.
4. The political class (in power and the opposition alike) is made up of more than the advocates of communities and less than modern state builders and owners of institutional reform projects.

Iraq has transformed into a hybrid state because the central government in Baghdad was dominated by the Shia party. This means that the majority of Sunnis and Kurds did not see the central government as a cohesive national government, and many parts of this government's institutions such as the police, courts and the military therefore lacked legitimacy. When citizens lose their trust in the integrity of state institutions, they try to find alternatives[34]. The Kurds have their own almost independent state, and they do not have strong ties to Baghdad. The Sunnis had already organized their tribal committee, which worked as a microgovernment in their areas before ISIS appeared in Mosul and Al-Anbar[35]. The process of dividing Iraq is as likely to occur today as it has in the past. The catalyst behind this process is the Shia militias that fight against ISIS. These militias have a legitimate right to use force against those they identify as Sunni, or at least the Sunni majority. In the following section, the focus will be on the criteria for creating a militia and evaluating the Shia's militia as a threat to peaceful coexistence.

The War for Geographical Expansion

According to an article from the Al-Rawabet Center for Research and Strategic Studies located in Amman, Jordan, there are approximately 67 armed Shia groups, and they operate in different regions of Iraq and Syria. Each has its name, leader, territory and religious marja (authority)[36]:

As we can see from table 2 (for the rest of this table see the supplement), these Iraqi Shia militias have been used in the regional conflict and are now fighting to gain as much territory as possible. For example, groups such as the League of Righteous People (Asa'ib Ahl al-Haq), also known as the Khazali network, have their field of operation in the city of Duz (also spelled as Tuz Khurma and Tuz Khormato or just Khurmatu). It is the central city of Tooz District in Saladin Province, Iraq, located 55 miles south of Kirkuk and the majority of its population are Kurds (Sunnis), and the minority are Turkmen (Shia). This group has been involved in heavy fighting against the Peshmerga (Kurdish fighters), and many from both sides have been killed. The presence of the Khazali group in Duz was not to fight ISIS since the city was protected by Peshmerga and ISIS was not present. Instead, the overall aim of the Khazali group was (and still is) to dominate more areas[37]. Their different fields of operation provide significant evidence of their struggles for more land and more control. Another aspect of these groups is

that the majority of them have the current Iranian supreme leader and Muslim cleric Ayatollah Khamenei as their religious authority, meaning that they are unconditionally loyal to him. In other words, they are part of the Iranian policy in the Middle East, and they are now part of the proxy war in the region[38]. They have been supported by external regimes such as Iran, which means they are directly under the influence of Iranian policies, and they will be working in favor of Iran's betterment. Finally, Shia fighters have been part of the war in Syria, and some of them have been killed. The intervention of the Shiite militias in the Syrian conflict is considered to be the most dangerous transformation. During this transformation process, these groups have evolved from being local militias to regional militias and finally to being mercenaries, which means they can be used in any conflict in the Islamic world, such as in Syria, Yemen and, most likely, in Bahrain[39].

Conclusion

Post-ISIS Iraq is moving dangerously in the direction that the Iraqi political system is unlikely to remain unified. The Sunni era in post-ISIS is now controlled and ruled by the different militias. The concept and feeling of a unified national government have almost vanished. The Shia militias are now acting as a legitimate institution, and their capability to run the government is limited due to their lack of legitimacy. As mentioned in this paper, the majority of these Shia armed groups are directly under Iranian influence, and they are acting in according to Iran's national interest. It makes difficult for the central government to monopolise its authority over them, and they remain a tough challenge against the national government. However, after the defeat of ISIS by the people's mobilization force in Mosul and the change in the control of this city, these Shia armed groups will not accept any power that tries to push them out of the Iraqi political system. For the parliamentary election of 2018, the PMF organized themselves into a political alliance under the name Fatah Alliance, also translated as the Conquest Alliance which is led by Hadi Ameri, and they could win 45 seats of the Parliament. The future of post-ISIS Iraq is either to have a weak central government in Baghdad under the control of the Shia armed groups or a soft partition of this country into three different countries.

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