Middle East
Institute

IRAQ
A CONFLICT OVER STATE IDENTITY AND OWNERSHIP

RANDA SLIM

CONTENTS

SUMMARY

At the heart of the conflict in Iraq has been a clash of visions over the identity and ownership of the Iraqi state. The post-2003 conflict was, in effect, a violent renegotiation of both the political compact in place since the 1960s and of the balance of power among regional and international players. The 2003 U.S.-led invasion gave a final coup de grace to a state which was in the process of disintegration well before then; it forced Iraqi society to reckon with its past and its contradictions, and ushered in a competition among Iraq's political and societal components about who defines this new state and who owns its resources. This competition often proceeded along ethno-sectarian divides with Shi'a and Kurds seeking to reclaim ownership of a state that they had long perceived as Arab Sunni-centric. As much as it has been Shi'a vs. Sunni, and at times Arab vs. Kurd, however, the conflict had also been an intra-Shi'a, intra-Sunni, and intra-Kurdish competition for power.

This paper focuses on seven key turning points in the post-2003 conflict. It examines the principal actors who played direct and indirect roles in shaping the trajectory of the conflict, discusses briefly why efforts at national reconciliation failed, and concludes with recommendations for strategies to move Iraq to a sustainable peace.

INTRODUCTION

Iraq is not technically engulfed in civil war. In fact, there are more hopeful scenarios for Iraq than for many of the major conflicts in the region, like Syria, Yemen, Libya or Afghanistan. The current government, while unproven, has staked its future on an "Iraq first" path, trying to play down the historical tensions between Sunni, Shi'a, and Kurds.

But notwithstanding this hopeful sign, Iraq is still incredibly vulnerable and a more negative scenario where the country could return to an open state of civil war is a possibility that needs to be considered, and hopefully mitigated against.

For this reason, it is important to track the arc of the civil war that beset Iraq after the U.S.-led invasion in 2003. At the heart of the conflict in Iraq has been a clash of visions among political and social communities over the identity and ownership of the Iraqi state. State legitimacy has been a contested issue since the establishment of the modern Iraqi state in the 1920s.[1]

At its core, the post-2003 conflict in Iraq was a violent renegotiation of both the political compact in place in Iraq since the 1960s and of the balance of power among regional and international players. Political power in Baghdad was transferred from Sunni-dominated to Shi'a-dominated political elites. The conflict was driven by a violent competition among local political actors over power, territory, and resources. This competition often proceeded along ethno-sectarian divides with Shi'a and Kurds seeking to reclaim ownership of a state that they had long perceived as Arab Sunni-centric.

While these sectarian and ethnic divides were not new, the 2003 invasion created a public space for them to be politicized and militarized, gave rise to an upsurge in political parties and civic associations that were mostly organized along ethnic and sectarian lines, and reshaped the relationship between the state and the Shi'a clerical authority.[2]

In addition to the clash over state identity and ownership, structural factors contributed to the conflict, including, among others, a history of authoritarianism, failed nation-building, historical disagreements between Sunni and Shi'a on political, theological, and doctrinal issues, and decades of the Ba'athist regime playing up religious and ethnic divisions (1968-2003).[3]

Despite guaranteed rights in successive constitutions, Iraqis did not enjoy equal status under the law. Not only were Shi'a systematically oppressed, Sunni Arabs and Kurds who opposed the Ba'ath regime also found themselves at the receiving end of the regime's brutality. During the Iran-Iraq war (1980-88), thousands of Arab Shi'a were expelled from the country, imprisoned, tortured or killed.

TIMELINE

2003

March   U.S. invasion

May   Launch of de-Ba'athification, disbanding of Iraqi army by the Coalition Provisional Authority

July   Appointment of the Iraqi Governing Council

August   Assassination of Mohammad Baqir al-Hakim, beginning of Sunni-Shi'a sectarian conflict

2004

October   Abu Musab al-Zarqawi establishes al-Qaeda in Iraq (AQI)

2006

February   Al-Askari shrine bombing in Samarra

May   Nouri al-Maliki becomes prime minister, consolidates Shi'a power

2007

January   Beginning of U.S. troop surge

2011

December   End of U.S. troop withdrawal from Iraq

2013

AQI rebrands as ISIS and expands

2014

June   ISIS seizes Mosul, Grand Ayatollah Ali al-Sistani issues a fatwa urging Iraqis to fight ISIS, hastening expansion of the popular mobilization units

2015

July   Protest movement erupts in Basra

2017

July   Prime Minister Haider al-Abadi declares Mosul liberated from ISIS

But it is important to note at the outset that as much as the conflict has been Shi'a vs. Sunni, and at times Arab vs. Kurd, it was also an intra-Shi'a, intra-Sunni, and intra-Kurdish competition for power.

The 2003 U.S.-led invasion gave a final coup de grace to a state which was in the process of disintegration well before the U.S. invasion; it forced Iraqi society to reckon with its past and its contradictions, and ushered in a competition among Iraq's political and societal components about who defines this new state and who owns its resources.

But the relationship between the Ba'athist regime and the Iraqi Shi'a and Kurdish communities was already badly broken well before the U.S.-led invasion. Three developments contributed to this rupture, paving the way for the fragmentation of the Iraqi national identity that was an important pillar of the Ba'athist political order.

First, the assassination of Mohammad Baqir al-Sadr, the ideological founder of the Islamic Da'wa Party, by the regime of Saddam Hussein on April 9, 1980 made future peaceful co-existence between Baghdad and the Shi'a clergy virtually impossible. Second, the Shi'a uprising of 1991 and its brutal suppression signaled an irreparable break between the regime and significant segments of Iraq's Shi'a. Third, after suffering decades of abuses and multiple displacements under the Ba'ath regime, which killed thousands of Kurds in the Halabja genocide and the wider al-Anfal operation, the establishment of the no-fly zone in northern Iraq in the aftermath

of the 1990-91 Gulf war helped the Kurds make the final break with the regime in Baghdad, giving a boost to their struggle for self-determination.

In addition to its domestic components, the Iraqi conflict must be contextualized within a regional political order upended by the Iranian Revolution in 1979, which marked the unraveling of a Pax Americana anchored around the monarchical regimes in Iran and Saudi Arabia; this order was further upended by the U.S.-led invasions of Afghanistan and Iraq in 2001 and 2003.

Outside stakeholders pursued their own interests, and the U.S. and Iran, in particular, saw the invasion as an opportunity to bring Iraq into their respective orbits. While the 2003 invasion eliminated Saddam and his Ba'athist regime, a shared enemy of both the Bush administration and the Iranian leadership, Iraq soon became a proxy theater for the decades-old conflict between the United States and Iran. The post-2003 political order in Iraq is as much defined by the power plays of Iraqi political and religious stakeholders as by the U.S.-Iranian competition.

In addition to the Americans and Iranians, who were the most influential outside stakeholders in post-2003 Iraq, the fall of the Saddam regime also created significant anxieties and vulnerabilities for Iraq's neighbors. Their involvement in post-2003 Iraq is often understood as being motivated by a desire to protect their own interests through the support of different factions in Iraq. The Jordanians feared economic and security vulnerabilities, including the

possibility of jihadi activities and networks being exported to Jordan. Turkey and Saudi Arabia gave political support to Sunni factions, but not money or arms. Through the Arab League, Egypt tried mediating among opposing Iraqi factions (2005-07). Most of the logistical and operational support for Sunni insurgency groups was provided by Damascus. The Assad regime feared the Bush administration was planning another attempt at regime change in Syria and saw in the former Ba'athist groups and Sunni insurgents an effective tool to bog down American forces in Iraq, preventing them from moving on to Damascus.

The remainder of this paper discusses the post-2003 conflict in Iraq and focuses on seven key turning points. It examines the principal Iraqi and outside actors who played direct and indirect roles in shaping the trajectory of the conflict, discusses briefly why official and unofficial initiatives aimed at promoting national reconciliation failed, and concludes with recommendations for strategies to move Iraq to a sustainable peace.

KEY TURNING POINTS 2003-2017

This section discusses seven turning points in the trajectory of the Iraqi conflict, starting soon after the U.S. invasion in March 2003 and ending with the routing of ISIS from most of Iraq's territory in 2017. This spans a period of 14 years during which violence ebbed and flowed, sectarianism came to define Iraqi politics, and national reconciliation remained elusive.

EMERGENCE OF AN ETHNO-SECTARIAN POLITICAL SYSTEM

A first key turning point in the conflict came after the U.S. invasion of 2003 with the introduction of a host of measures by the U.S.-led Coalition Provisional Authority (CPA), under Paul Bremer's leadership. These measures made an enemy of large segments of the Arab Sunni population, who considered the occupying forces as the main culprit in a scheme to criminalize, disempower, and marginalize them. They saw themselves as the losers in this new Iraq, pushing many Sunni leaders and their constituents to reject the post-2003 political order. This set the stage for the rise of al-Qaeda in Iraq (AQI) in 2003-04 and for its successor ISIS in 2014, both of which claimed the mantle of leadership among Arab Sunnis in their quest to upend Iraq's new Shi'a-led political order.

Three measures are responsible for this first key turning point. First was the official elevation of sectarian and ethnic identity as a primary organizing principle in Iraqi politics by apportioning political power on the basis of ethno-sectarian quotas. This was introduced in July 2003 when the Iraqi Governing Council (IGC) was appointed by the CPA, and it was repeated a year later in the interim Iraqi government led by Ayad Allawi and by every Iraqi administration since then.[4]

Second, the CPA's decisions to de-Ba'athify government structures and disband the army further contributed to

Paul Bremer, former head of the Coalition Provisional Authority, waits for the start of a House Oversight and Government Reform Committee hearing on Capitol Hill on February 6, 2007. *(Photo by Mark Wilson/Getty Images)*

feelings of exclusion among Sunnis. The CPA initially sought to limit the reach of de-Ba'athification, in some cases allowing former ranking Ba'ath party members to stay in government jobs. Later on, however, the IGC's de-Ba'athification council, led by Ahmad Chalabi with Nouri al-Maliki as his deputy, took a harder stance and reversed all exceptions, and also extended the ban on public employment to include public activities and positions in civil society institutions, the press, and the media. These three measures created a clear divide between winners of the 2003 invasion (Shi'a and Kurds) and losers (Arab Sunnis).

Many Arab Sunnis equated de-Ba'athification with "de-Sunnification," as large numbers of Sunnis lost their jobs. Not only did the Arab Sunnis go from controlling the state to holding a minority share of power, they were not even able to effectively wield that minority share. Shi'a and Kurds have always had their own independent political and social structures which acted as Shi'a or Kurdish interest groups and which stepped in to fill the political vacuum created by the implosion of Iraqi state structures in 2003. Sunnis, however, did not have separate political structures as such. They always saw their interests and goals as intertwined with state structures, including the army and Ba'ath party. When the army was disbanded and the Ba'ath party was abolished, they had nowhere else to go. Instead, they were incentivized to fight to reclaim what they had lost.

Third, the Arab Sunni community struggled to come to terms with its place in post-Saddam Iraq. With Saddam gone, the

community no longer had a single leader, lacked the cohesive religious leadership the Shi'a had, or the party duopoly the Kurds did. Renad Masour articulated the Sunni predicament best: "Iraq's Sunni Arab majority, making up some 20% of the population, went overnight from rulers to ruled. Unlike their Shi'a or Kurd rivals, they were neither prepared nor willing to play sectarian politics."[5]

Post-Saddam, the Arab Sunni community was divided into two camps: One was opposed to the U.S. occupation and the Shiite-led political order in Baghdad. They saw the Iraqi insurgency and terrorist groups led mainly by AQI (2003-07) and later ISIS (2014-17) as the means to restore the status quo ante of a Sunni-ruled Iraq. This camp included former Ba'athists led by former deputies and aides to Saddam, one wing of the Association of Muslim Scholars in Iraq (AMSI) led by Harith al-Dari, tribal leaders (some of whom switched allegiance later and allied with the U.S. coalition forces against the jihadists), Sunni militias, and AQI.

Other Sunni leaders and political entities decided to engage in the political process, trying to chart a new role for themselves in post-2003 Iraq. These included tribal leaders who took part in the U.S.-led surge and the Iraqi Islamic Party (IIP). Post-2003, IIP was one of the sole representatives of the Arab Sunnis.[6] Between 2004 and 2018, IIP leaders occupied senior posts including speakership of the parliament, the vice presidency, and ministerial positions.

The CPA's de-Ba'athification order and decision to disband the Iraqi army criminalized and marginalized most of the former members of the political and security organs of the Saddam regime. In 2003-07, Ba'athists outside Iraq who were purged from their jobs converged around two former aides to Saddam who funded and directed part of the Sunni insurgency against U.S. and Iraqi forces: Izzat Ibrahim al-Douri, who formed the Naqshbandi order, and Mohammad Younis al-Ahmad. Initially both set up shop in Damascus. Ba'athists began collaborating with AQI soon after the fall of the Saddam regime. But this collaboration did not last long due to differences between the two groups over who should be in charge. During the surge, some of the ex-Ba'athists allied with the U.S. occupying forces and turned on the jihadists.

The Sunni religious leaders were split in their approach to the post-2003 order. The most prominent wing was led by al-Azhar-trained scholar Dari, who endorsed a militant anti-American line. Dari began organizing clerics to carry out primarily humanitarian missions and soon after took on a political focus, operating on the assumption that the insurgents would eventually drive the Americans out and restore the status quo ante. His group, known as the AMSI, praised the insurgents and advocated a boycott of the elections.[7] Many Sunni leaders heeded Dari's call, and in 2005 a majority of Sunnis voted in neither the parliamentary elections, nor the constitutional referendum.

The other wing of the Arab Sunni religious community represented the Sunni *Waqf* (religious endowment), whose head in 2003 was Adnan al-Dulaymi, a university professor with a history of Muslim Brotherhood activism. Dulaymi and Dari were on opposite sides of the political divide, and he treated the new political order and the Iraqi state as legitimate, attended public conferences on Sunni election participation, and organized a fatwa by religious scholars opposed to Dari, declaring it a religious obligation for Sunnis to join the army and police.

Over time, after refusing to condemn the growing violence of Salafi-jihadi insurgents, AMSI's political message became increasingly at odds with the mainstream Arab Sunni community. An arrest warrant was issued for Dari, forcing him into exile in Amman, and AMSI's influence over Iraqi Sunnis eventually waned.

By 2004, capitalizing on the fragmented political leadership of the Arab Sunnis and feelings of alienation under the new political order, AQI was already established under the leadership of Abu Musab al-Zarqawi, a Jordanian-born militant who pledged allegiance to Osama bin Laden.

Comprising Iraqi and foreign fighters who made their way into Iraq through Syria, AQI organized suicide bombings targeting Iraqi security forces, government institutions, and civilians. Intending to deepen sectarian conflict, AQI targeted Shi'a mosques, including the attack on the al-Askari shrine in Samarra in 2006. While the killing of Zarqawi in 2006 by U.S. forces weakened

AQI, the Sunni Awakening Movement in 2007 dealt it a more severe blow by denying it the manpower and the freedom to operate it had enjoyed until then among Iraq's Arab Sunni population.

In 2010, AQI reappeared on the Iraqi scene, launching coordinated nation-wide bombings. Its re-emergence is a testament, in part, to the mismatch in objectives and expectations when it came to Arab Sunni participation in the U.S.-led surge. Despite the prevailing perceptions in 2007-10 that Arab Sunnis were finally embracing the new political order in Iraq, political and socio-economic conditions conducive to resentment and marginalization remained and contributed to AQI's re-emergence. In 2011, the Syrian civil war also facilitated the flow of jihadi Salafi fighters, weapons, and money into Sunni tribal areas. Iraq became a staging ground for Gulf Arab states to assist the Sunni opposition in Syria as well.

In 2014, the Naqshbandi Army entered into a temporary tactical alliance with ISIS to take over Mosul. That alliance was short-lived. By 2015, ISIS started targeting the former Ba'athists, who represented a long-term threat to their caliphate project.

EMERGING SUNNI-SHI'A VIOLENCE

The August 29, 2003 assassination of leading Shi'a cleric Mohammad Baqir al-Hakim was the second turning point in the Iraqi conflict, unleashing a Sunni-Shi'a civil war. Contrary to current analysis of the Iraqi war, it was not the 2006 bombing of the al-Askari shrine, a major Shi'a holy site,

which triggered the war. Instead, it was this assassination, which was perpetrated by AQI and praised by its leader Zarqawi in several audiotapes, that unleashed the sectarian fight.

The sectarian civil war was in full force by 2004 and elements of AQI were already active in the country. By 2005 Baghdad and many other mixed areas in Iraq, particularly in Diyala Governorate, were in the grips of sectarian violence. The al-Askari shrine bombing in Samarra escalated the violence, with civilian deaths rising to more than 3000 a month by October 2006.

The main Iraqi protagonists in this fight were Sunni and Shi'a armed groups that stepped into the post-Saddam political vacuum to provide security and services to their co-religionists and to contest for political influence. On the Sunni side, one can point to two major groups: Sunni tribes and a collection of Sunni armed groups (including AQI) fighting against the Americans and Shi'a political and armed groups. While some Sunni tribal leaders in Anbar, Nineveh, and Salah al-Din maintained at the time that they could work with the Americans to establish a new government, AQI and other Arab Sunni insurgent groups were seeking to upend the new political order ushered in by the Americans, fighting the latter and their collaborators, namely Shi'a and Kurdish political parties and their supporters. They positioned themselves as the protectors of Arab Sunni Iraqis and tried to harness the narrative prevalent at the time among the Arab Sunni communities that the Iranians and Shi'a Iraqis were working with the Americans to kick Sunnis out of Iraq.[8] There was a perception among Arab Sunnis that the U.S. had changed its strategic interests in the region and was now favoring Shi'a over Sunni leadership in Iraq. The de-Ba'athification process was viewed within this context and contributed to validating these perceptions.

In 2003, Shiite militias also stepped in to provide security and services for their constituents and to openly contest for political influence. The Sadrist movement formally established its own militia, Jaysh al-Mahdi (Mahdi Army), setting up local security patrols and offering social and religious services. The Badr Brigade, established in the 1980s during the Iran-Iraq war, returned to Iraq from exile. Over time, other groups like Asaib Ahl al-Haq, which split from the Sadrists, and Kataeb Hezbollah acquired their own support base and resources and found in Iran a willing patron. In 2014 after ISIS takeover of Mosul, the popular mobilization units (PMUs), most of whose armed units were Shiite, would be formed to counter ISIS.

U.S. SURGE

The third key turning point in the conflict is the U.S. surge put in place in January 2007. This aimed to reverse the course of the civil war and stabilize Iraq using counterinsurgency tactics.

Disillusionment with AQI is one factor that inspired Arab Sunni support of the surge and led many tribal leaders to join the Awakening Movement, known as *Sahwa,* founded by Sheikh Abdul Sattar Abu Risha. Over time, AQI began to lose much

of its support in Arab Sunni communities. It employed tactics that were perceived as blatantly contrary to Iraqi cultural and religious values, and dealt harshly with collaborators with the Americans and the Baghdad government, including Sunni tribal leaders and members of the Iraqi Security Forces (ISF). Although AQI claimed to be liberating Iraqis from Americans, Iraqi civilians bore the brunt of their violence.

Operationally, the surge was a success. By January 2009, the Iraqi civilian monthly death toll dropped to 78 compared to 463 in January 2008, while the death toll among police and security forces fell from 140 to 51 for the same time period.[9] By enlisting Sunni tribal leaders in the fight against AQI, the surge aimed to split the Sunni camp, reduce support for the insurgency, and convince Sunnis to endorse the post-2003 political order.

This reading of the objectives of the former Sunni insurgents that joined the Awakening Movement was short sighted. Many of these insurgents were more likely motivated by a sense of "opportunism," to gain training and weapons. Some were motivated by American promises for employment by way of their incorporation into the ISF. To others, endorsing the surge was a way to seek coalition forces' assistance in fighting against the Shi'a. When these objectives were not achieved, many decided to abandon the Awakening Movement. One reading of the reduction in violence after the surge began is that it was a calculated decision by many Sunni insurgents to temporarily lie low because fighting U.S.

forces would drain resources they needed to preserve for the long struggle against the Shi'a and Iran.[10]

At the political level, the objective of the surge was to create the space and security conditions needed to enable reconciliation among Iraq's leaders. This proved difficult mainly because at the time Iraqi political elites did not see national reconciliation as a means to achieve their mutually exclusive objectives. For Sunnis, it meant restoration of their power. For Shi'a it meant redressing injustices carried out by the Ba'athists. For Kurds it was a means to achieve their autonomy. Another complicating factor was the mistaken U.S. assumption that if the surge reduced violence, the other components of institution building which can assist with reducing the ongoing competition for power and resources among different Iraqi groups would automatically fall in place.[11]

The re-emergence of AQI in 2011-12 is perhaps a testament, in part, to the mismatch in objectives and expectations when it came to Sunni participation in the surge. Despite the perception that Sunnis were finally being coopted into the post-2003 political order and incentivized to work with the government in Baghdad, conditions conducive for resentment and political marginalization remained and contributed to AQI's re-emergence.

An Iraqi family sits outside in the early morning as U.S. "surge" troops from 1-30 Infantry Battalion search their home along the Tigris River, south of Baghdad. *(DAVID FURST/AFP/Getty Images)*

CONSOLIDATION OF SHI'A CONTROL OF THE IRAQI STATE

The fourth key turning point in the conflict was primarily engineered by Nouri al-Maliki, former Iraqi prime minister, who made a number of decisions during the period 2008-13 aimed at consolidating Shi'a control of the Iraqi state and consequently his leadership of the Shi'a political class. The 2008 decision by Maliki to take on Sadr's Mahdi Army in Basra solidified his leadership position among the Shi'a political elites.

Soon after, Maliki started dismantling Iraqi military structures put in place by the American military and which the United States had insisted include Arab Sunnis and Kurds, and establishing parallel security structures staffed by people loyal to him, bypassing the American military and reporting directly to him. These structures were often accused of human rights abuses including a notorious 2010 incident in which at least 400 Sunni men were picked up from Mosul, held without charges, and tortured at an undeclared facility at a Baghdad military airbase.[12]

The U.S. did not challenge Maliki's unconstitutional power grab in 2010, enabling him to return to the prime ministry despite the fact that his electoral list came in second after Ayad Allawi's Iraqiya list, which enjoyed significant Sunni support. For the Obama administration, which wanted to pivot away from Iraq, challenging Maliki's power grab meant investing time and energy in a country

they were eager to exit. The interests of U.S. President Barack Obama and Iraqi Prime Minister Maliki converged around the idea of enforcing an agreement signed by George W. Bush to withdraw forces from Iraq by the end of 2011. Elected in 2008 on a platform to end the Iraq war, President Obama wanted U.S. troops out to tout this achievement in his 2012 re-election campaign. Prime Minister Maliki wanted U.S. forces gone because he saw them as a major obstacle to consolidating his hold on power in Iraq. In this he was assisted by other Shi'a politicians whose constituencies wanted the U.S. out because of American military excesses as well as pressure from the Iranian leadership, which insisted on a full U.S. military withdrawal.

Had a residual force of 20,000 to 25,000 U.S. troops stayed in Iraq post-2011 as American military officials wanted, would it have changed the conflict trajectory by much? I would argue that given Maliki's sectarian agenda and the Obama administration's unwillingness to invest the time and energy to challenge him, residual forces would not have succeeded in preventing Maliki from continuing his power grab of Iraqi state structures. It is important to articulate three key components of Maliki's sectarian strategy.

SIDELINING MODERATE SUNNI POLITICAL LEADERS FROM THE GOVERNMENT

Maliki proceeded to remove Sunni political leaders from the government, especially those who had public support, were viewed as moderates, and enjoyed good relations with the international community.

In the 2010 elections, the Iraqi electoral commission, which was under Maliki's control, disqualified more than 500, mostly Sunni, candidates on the charges that they had ties to the Ba'ath party. In December 2011, Vice President Tariq al-Hashimi was accused of supporting terrorism and a warrant was issued for his arrest. He fled the country and was later sentenced to death. In December 2012, protests erupted in Fallujah after 10 bodyguards of Rafi al-Issawi, the finance minister at the time, were arrested on terrorism charges. These protests eventually spread to other Sunni-majority provinces of Iraq, including Mosul, Samarra, and Tikrit. In March 2013, Issawi resigned from the Maliki-led government.

In April 2013, a military attack on a protest encampment in Hawija, west of Kirkuk, led to dozens of deaths, sparking violent attacks by civilian protesters and insurgent groups against government installations and personnel in Sunni-majority areas. According to the UN mission to Iraq, more people died in violent attacks in April 2013 than in any other month since 2008. Two Arab Sunni ministers resigned from the cabinet in protest of the army operations: Minister of Education Mohammed Tamim and Science and Technology Minister Abd al-Karim al-Samarrai. In December 2013, Iraqi troops arrested another Sunni critic of Maliki, Ahmed al-Alwani, chairman of the Iraqi parliament's economics committee, killing five of his guards in the process.

WEAKENING OF THE KURDS

The second component in Maliki's strategy was the weakening of the Kurds, whose ambitions for independence he viewed as an existential threat to the survival of the post-2003 Iraqi state. Since 2008, in his attempt to project himself as the defender of the territorial integrity of Iraq, Maliki had allied with the Sadrists, Arab Sunnis, and Turkomen in pushing to strengthen the power of the center in Baghdad vis-à-vis the Kurdistan Regional Government (KRG). In August 2008, the relationship between Baghdad and Erbil was so bad that violence was about to break out between Iraqi forces and Kurdish *peshmerga* fighters in Khanaqin, a Kurdish-majority town in Diyala Governorate.

The stand-off over the status of Kirkuk and the failure to implement article 140 of the Iraqi constitution of 2005 dealing with the final status of Kirkuk and the disputed territories reached dangerous levels following the Khanaqin events.[13] Partly as a result, Kurdish leaders obstructed vital legislation dealing with elections and the hydrocarbons law.

The sidelining of Iraqi President Jalal Talabani from the political scene in Baghdad after he suffered a stroke in December 2012 removed an astute Kurdish political player who both put the brakes on Maliki's hegemonic ambitions and was an effective mediator in smoothing relations between Baghdad and Erbil, the capital of the KRG. In March 2014, Maliki cut the KRG's 17% share of the national budget, as part of a broader oil dispute between Erbil and Baghdad over the KRG's right to export oil to Turkey through a pipeline not controlled by the State Oil Marketing Organization (SOMO). KRG President Massoud Barzani called the action tantamount to "a declaration of war." For Maliki, economic independence moved the KRG one step closer to full independence.

DISMANTLING OF THE SONS OF IRAQ

Driven by his concern that the units created as part of the Awakening Movement, known as the Sons of Iraq, would morph into a non-state-controlled Sunni security force, Maliki proceeded to dismantle them in a three-step approach: 1) He denied the movement access to material and financial resources; 2) he disbanded the tribal councils set up under the surge; and 3) he set up rival tribal structures and attempted to co-opt the Awakening Movement's leaders.[14]

Despite promises of being integrated into the ISF, just 9,000 of the 42,000-strong force held security and public employment by 2010. Many Arab Sunnis perceived Maliki's policies as backsliding on the promises they thought they had won from the Americans.

EMERGENCE OF ISIS

It has already been argued that the 2007 surge weakened AQI but failed to defeat it. Maliki's targeting of Sunni leaders and protesters and his reneging on commitments made to the Sons of Iraq in 2010-11 created an environment conducive to the rebuilding of AQI, which soon began in 2011. In 2012, armed groups formerly affiliated with AQI were again mounting

organized and coordinated attacks against military personnel and installations. Syria's civil uprising also gave AQI a new lease on life, allowing it to remobilize and recruit fighters from around the world and gain battlefield experience next door in Syria. It saw an opportunity in Syria to participate in the fight against the regime of Bashar al-Assad. In 2013, after a split with al-Qaeda's leadership over control of Jabhat al-Nusra, its main franchise in Syria, AQI rebranded itself as ISIS, and in February 2014, it formally separated from al-Qaeda. Prior to seizing Mosul on June 10, 2014, ISIS took control of Raqqa in northern Syria in 2013 and the cities of Fallujah and Ramadi in central Iraq in January 2014.

ISIS's takeover of Mosul is the fifth turning point in the conflict trajectory. It created a panic that Baghdad was going to fall next, prompting Grand Ayatollah Ali al-Sistani to issue a fatwa calling on Iraqi men to volunteer to fight against ISIS. As the ISF were in a state of disarray at the time, thousands of Iraqis started either forming their own units or joined existing non-state armed groups, giving rise to the PMUs.

The fall of Mosul to ISIS in 2014 once again pushed Iraq front and center onto the U.S. administration's agenda. After his administration praised the April 2014 parliamentary elections in which Maliki's State of Law coalition won 92 of the 328 seats in the Council of Representatives as "… another milestone in the democratic development of Iraq," the U.S. president abandoned his "let Maliki be Maliki" policies of the past five years and questioned his leadership. On June 19, 2014, President Obama said, "It is clear, though, that only leaders that can govern with an inclusive agenda are going to be able to truly bring the Iraqi people together and help them through the crisis."[15] This was widely interpreted in Baghdad as an invitation to Iraqi politicians to push Maliki aside. This statement by the U.S. president would not have sufficed to force Maliki to step aside if it were not followed the next day by an unusual public rebuke by Grand Ayatollah Sistani calling on Iraqi politicians not to cling to their posts, which was widely interpreted as a veiled reproach of Maliki.

After Grand Ayatollah Sistani's public stance, Tehran had no choice but to drop its support of Maliki's bid to return to the prime ministership. As a senior Iranian official told me in a conversation in Tehran months later, Iran's supreme leader could

not but accede to Sistani's wishes. Sistani's influence in Iraq and among Shi'a worldwide has always been a concern for Tehran. He is the most revered religious figure among Iraqi Shi'a and his influence among Iranian Shi'a increased post-2003. He does not support the interpretation of the concept of *vilayat-e faqih* ("guardianship of the jurist") that underpins the Iranian constitution and political system, and his religious rulings and political statements impact not only Iraq's Shi'a and Iraqi politics but also can influence Iranian politics as well.

While Tehran has tried since 2003 to cultivate influence inside religious circles in Najaf by funding religious schools, mosques, and paying stipends to students in religious seminaries with the objective of weakening Sistani's power base in Iraq and among Shi'a worldwide, the Iranian leadership has been careful not to oppose Sistani once he has taken a public stand on an issue, as was the case in 2014 in opposing Maliki's candidacy for the prime ministership. Haider al-Abadi, another Da'wa official, who was at the time deputy speaker of the parliament, was asked to form the next Iraqi government.

The ISIS takeover of Mosul forced the Obama administration to agree to Iraqi and Kurdish leaders' requests to assist in the fight against ISIS by sending weapons, humanitarian assistance, and troops and conducting airstrikes against ISIS positions in Iraq.

THE PROTEST MOVEMENT

Beginning in mid-July 2015, one of the largest protest movements in modern Iraqi history erupted in Basra and spread to cities in central and southern Iraq, including Baghdad. The sixth turning point, this protest movement was the second of its kind after a similar wave of protests on February 25, 2011, called the "Iraqi Spring" protests, were violently put down in Baghdad and Karbala. According to the late Iraqi political sociologist Faleh Jabar, "The 2011 protests were unprecedented in terms of magnitude and momentum. The 2015 protests, however, came as the number of towns with a population of a million or close to a million increased," following a pattern seen in social movements in the United States and Europe in the 20th century that emerged in densely populated cities with widespread means of mass communication.[16]

The protest movements in both 2011 and 2015 involved demands to reform the political system, take action against corruption, and improve delivery of and access to government services. The 2015 movement started as a simple protest in mid-July against power outages in Basra and soon spread to Baghdad and cities in central Iraq. The movement was mostly led by Iraqi men and women under the age of 30, who have come to see the ethno-sectarian quota system in place since 2003 as inextricably linked to corruption and bad governance. In the words of Jabar, the 2015 protest movement "... displayed

unmistakable signs of a popular shift from identity to issue politics."[17] Over time the protesters' attitudes shifted toward rejection of the state as an institution.

It is worth noting that a first top-down attempt to transcend sectarian and ethnic fragmentation was tried in 2012 when a Shi'a-Sunni-Kurdish alliance led by Muqtada al-Sadr, Masoud Barzani, and the predominantly-Sunni Iraqi National Movement of Ayad Allawi pursued a no-confidence motion in the Iraqi parliament to unseat then-Prime Minister Maliki. Driven by different motivations but united by their desire to maintain the government in Baghdad, both American and Iranian diplomats worked assiduously to upend this move and succeeded in doing so.

The 2015 protest movement was strongly supported by the senior clerical establishment in Najaf. Muqtada al-Sadr jumped on the bandwagon, calling on his supporters to join the protesters. Maliki and PMU leaders were strongly opposed to the protests, arguing that they detracted from the fight against ISIS. As Jabar writes, "They saw the protest movement as a threat to the Popular Movement's operations, commanders, and their political future."[18]

Prime Minister Abadi saw the protest movement as an opportunity to launch a reform program to fight corruption, improve services, and implement administrative changes, the most important of which was the elimination of several high-ranking posts including those of vice-presidents and deputy prime ministers. While the reform program met the protesters'

demands, Abadi failed to implement it due to various obstacles including a worsening economic situation at a time when state funds needed to be prioritized for the fight against ISIS.

By early 2016, frustration at the lack of implementation of reforms and protest fatigue brought the movement to a slow end. The protest movement built momentum for political reform, changed the narrative of Iraqi governance, and solidified the shift from identity to issue politics that had been building since 2005. The results achieved in May 2018 by the electoral alliance between Muqtada al-Sadr and the Iraqi Communist Party partly reflect the lingering impact of the 2015 protest movement on Iraqi society.

THE FIGHT AGAINST ISIS

The seventh and final turning point is the routing of ISIS from its strongholds, which brought to an end any lingering hopes among some segments of the Iraqi population of restoring Sunni control of Iraqi state structures. In July 2017, three years after ISIS's takeover of Mosul, Iraqi Prime Minister Abadi declared the city liberated from the group. By spring 2019, all ISIS-held territory in Iraq and Syria had been officially liberated.

But as in 2007-08, this does not mean ISIS has been defeated. Sleeper cells are still active in Kirkuk and its outskirts, in areas between Kirkuk and Diyala, and in Anbar, kidnapping and killing civilians and carrying out random attacks.

The ongoing war in Syria provides a haven for ISIS fighters to regroup and move across the border into Iraq. More importantly, Iraq still suffers from the same political and socioeconomic problems that gave rise to AQI and then ISIS. Iraqi security services will continue to require U.S. help to fight what is turning again into an underground insurgency.

Still, the political mood inside Iraq's Arab Sunni community is different than it was in 2010-11 when AQI regrouped after the surge. While in 2010-11 Arab Sunnis could rightly lay the blame for their political and socio-economic marginalization at Maliki's doorstep, today they are refugees and internally displaced people, their cities and homes destroyed by a Sunni force, and not because of Shi'a politicians or the security services loyal to them.

The defeat of the Syrian uprising has also dealt a blow to any lingering ambitions held by Iraqi Arab Sunni political and tribal parties of restoring the pre-2003 political order. Some of these ambitions partially contributed to ISIS's success and its ability to take over Sunni-majority areas either with the collaboration of locals and/or without them putting up much of a fight. ISIS's brutality against its co-religionists and eventually its military defeat shattered these ambitions once and for all.

GRAND AYATOLLAH ALI AL-SISTANI

No analysis of post-2003 Iraqi politics is complete without unpacking the role Grand Ayatollah Sistani, a Shi'a *marja'* (source of

emulation) and head of the Najaf *hawza* (a network of schools, learning centers, institutions, and charities), has played in Iraqi politics since the 2003 invasion. No other Iraqi figure, religious or secular, Shi'a or Sunni, Arab or Kurd, occupies the moral space he does or leverages their power as he does.

He has steered himself away from the minutiae of retail politics. Instead, his interventions have been mostly aimed at shepherding the democratic process in Iraq, demanding accountability of government officials, and stemming sectarian strife. According to a report of a conversation with the grand ayatollah, Sistani is most proud of four interventions he made since 2003.[19]

The first was when his office in Najaf issued an edict on June 26, 2003 demanding general elections be held for Iraqis to choose their representatives to a constitutional assembly, contravening a CPA plan to hold a complicated succession of caucuses to elect an assembly that would draft a constitution to be ratified in a national referendum. For Sistani, the CPA's caucus plan, which was to be controlled by an occupying force, would render the transition process illegitimate in the eyes of the majority of Iraqis. Eventually, the CPA acceded to Sistani's demand for popular elections and he agreed to a delay of general elections until December 2004.

An Iraqi man holds a poster of Ayatollah Ali Al-Sistani during celebrations to mark the first anniversary of Iraq's victory over ISIS. *(Ameer Al Mohammedaw/picture alliance via Getty Images)*

The second was on August 27, 2004 when he negotiated a deal ending the three-week bloody standoff in Najaf between Muqtada al-Sadr's armed followers and American and Iraqi government forces, helping saving lives from both sides and sparing the city of Najaf.[20] For Sistani, if Muqtada al-Sadr had been killed in this confrontation, an intra-Shi'a civil war would have broken out, derailing the nascent political transition in Iraq that had brought the Shi'a majority control of the levers of power.

The third intervention was in 2006 in the aftermath of the bombing of the al-Askari mosque in Samarra, one of the holiest sites in Shi'a Islam. Sistani convened a meeting with the other Shi'a marja' in Najaf and issued a fatwa in the name of all four top Shi'a clerics in Iraq prohibiting attacks on Sunni mosques and the spilling of blood.

The fourth intervention Sistani is proud of is the June 13, 2014 fatwa when he called on Shi'a men to volunteer and join the ISF to fight ISIS after the latter took over Mosul and was marching toward Baghdad. While Sistani never called on the volunteers to form their own brigades in what later became known as the PMUs, the implosion at the time of the ISF forced the thousands of men who heeded Sistani's call to organize themselves into brigades and/or join pro-Iranian militias that were in operation in Iraq at the time including Kataeb Hizballah and Asa'ib Ahl al-Haq. As the conflict against ISIS dragged on, the Najaf hawza under Sistani's leadership and other Shi'a leaders including Muqtada al-Sadr and Ammar al-Hakim formed their militias under the PMU rubric.

While Sistani has tried to avoid wading into the fray of Iraqi politics, on two occasions he did exercise his influence on politics directly. His decisions to withhold support for a frontrunner for the prime ministership — Maliki in 2014 and Abadi in 2018 — were enough to tip the balance against them.

A large question that looms over Iraq's path forward is who will succeed Sistani and what this means for Iraqi political dynamics and for Iraqi-Iranian relations in the future. Fears have been expressed of an Iranian religious takeover of Iraq. As Hayder al-Khoei argued, "These fears underestimate the resilience of the religious establishment in Iraq as well as the deep-rooted resistance to theocracy among the luminaries of Shi'a Islam in Najaf."[21] A period of uncertainty will follow Sistani's passing away as the process in Najaf

to designate a successor evolves. There are three other grand ayatollahs in Najaf (Mohammed Saeed al-Hakim, Mohammed Ishaq al-Fayyad, and Bashir Hussain al-Najafi), any of whom would make a worthy successor to Sistani. The dynamics of the transition period will be influenced by opaque deliberations inside Najafi religious circles, and by "… grassroots dynamics as tribes in southern Iraq, ordinary Shi'a laymen, and families across the region and wider world will begin to organically defer to one of the existing grand ayatollahs after Sistani."[22]

WHY ATTEMPTS AT NATIONAL RECONCILIATION FAILED

Since 2003, Iraqis and regional and international stakeholders in Iraq have talked about the need for national reconciliation. Official and unofficial national reconciliation initiatives were carried out. Plans for national reconciliation were offered as early as 2006 and as late as 2016.[23] Nothing of substance materialized from these initiatives and plans, however.

There have been three major impediments to national reconciliation: First, lack of political will; second, the absence of an honest broker; and third, the lack of a national reconciliation framework including a coordinating mechanism among multiple official and unofficial reconciliation initiatives at the national and local levels. We will explore each of these in detail.

LACK OF POLITICAL WILL

In June 2006, Nouri al-Maliki, then Iraq's prime minister, announced a 24-point national reconciliation plan that included amnesty for insurgents and opposition figures not involved in terrorist attacks, a reversal of de-Ba'athification laws that banned low-ranking former Ba'athists from re-entering public service, a national conference with all warring parties, and a promise to purge key ministries, including the Ministry of Interior, of officials affiliated with Shiite militias, which at the time were involved in sectarian killings.

The plan did not succeed primarily because Maliki and other Shi'a and Kurdish leaders were not interested in national reconciliation with the Sunnis, whom they associated with an insurgency that was violently trying to upend the post-2003 political order. They felt they could win the fight militarily without having to make any political concessions to the Sunnis.

Sunni insurgents, for their part, saw the post-2003 political order as illegitimate and in need of overturning. Because they were ruled out from the amnesty offer, Sunni insurgents or Shi'a militia members had no incentive to give up their arms and sit at the negotiation table.[24] Maliki's plan was also conceived more in response to pressure exerted by American officials on him to work on national reconciliation and less because he believed national reconciliation was needed.

In 2006-09, the Washington, D.C.-based International Institute for Sustained Dialogue (IISD) convened a Track 2.0 initiative bringing together Iraqi parliamentarians, former Ba'athist officials living in exile, and Iraqi tribal leaders.[25] The agenda of this initiative was two-fold: To agree on, first, the elements of a political process to define a new governing partnership among Iraqi factions, including constitutional amendments, and, second, a legislative framework for reforming the de-Ba'athification law. After a three-year-long intensive effort of regular meetings held outside Iraq, the final draft documents generated by the group were rejected by Maliki, thus bringing the initiative to an end.

ABSENCE OF AN HONEST BROKER

Both the Arab League and the UN tried mediation among Iraqi factions. The Arab League failed and the UN's efforts met with only limited success.

In October 2005, the Arab League empowered its Secretary-General Amr Moussa to launch a mediation effort in Iraq. Sunnis welcomed the Arab League initiative, but Shi'a and Kurds viewed it with suspicion, arguing the Arab League failed over the years to raise objections to Saddam's treatment of Shi'a and Kurds. The Arab League organized a national conference in November 2005 in Cairo. The effort proved fruitless and the whole initiative was brought to an end after the al-Askari shrine bombing in Samarra in February 2006.

The divisions inside the UN Security Council (UNSC) in the lead-up to the U.S. invasion of Iraq meant that the UN would not be able to play the role it played in other post-war settings such as Bosnia and Kosovo. Initially, the Bush administration did not want to cede any authority to the UN, yet eventually found it could not live without it.[26] However, UN officials were called upon to play a role in Iraq without having direct authority of their own. In 2004, Lakhdar Brahimi, the secretary-general's special representative for Iraq, helped mediate the transition from the U.S.-controlled CPA to Iraqi sovereignty. The UN helped organize the 2005 elections, and in 2007 the UN became a co-leader with the Iraqi government of the International Compact for Iraq.[27] Pushed by the Bush administration, which was looking for ways to extricate itself from being the sole party responsible for Iraq, UNSCR 1770 was passed specifying, among other responsibilities, that the UN Assistance Mission for Iraq (UNAMI) "advise, support, and assist" the government of Iraq on national reconciliation. But the Maliki-led government did not welcome an expansion of UN's role in national reconciliation and insisted that "UNAMI would act only as 'circumstances permit' and 'at the request of the government of Iraq.'"[28]

Despite their best efforts, successive representatives of the UN secretary-general have failed at bringing Iraqis to resolve a range of issues that divided them, including the sharing of oil revenues, the status of the disputed Kirkuk region, the demobilization of militias, and the protection of minority rights. In 2013-14, the

fight against ISIS pushed these issues to the backburner, thus rendering UN's efforts in promoting national reconciliation even more futile than in the past.

LACK OF A NATIONAL RECONCILIATION FRAMEWORK

Since 2003, national reconciliation in Iraq suffered from the lack of a framework that presents a unified vision for national reconciliation and includes a coordination mechanism among the different initiatives and plans to promote reconciliation at the national and local levels, in the official and unofficial realms. During Maliki's stints in the prime minister's office, the National Reconciliation Committee was neither politically independent nor empowered to shepherd the development of a national

reconciliation framework and to coordinate among different reconciliation initiatives. During this period, national initiatives failed for the reasons outlined above. However, there were successful local reconciliation efforts that have endured. In 2007, a group of facilitators trained by the United States Institute of Peace brokered a reconciliation pact between Sunnis and Shi'a in Mahmoudiyah, an area south of Baghdad then known for heavy insurgent activity. This pact still endures, and the tribal council established at the time still works on dispute resolution.

After ISIS took over Mosul in 2014 and Haider al-Abadi became prime minister, interest peaked again in the subject of national reconciliation. The problem at the time was that too many officials were put in charge of the national reconciliation file. Officially,

Iraqi Shiite cleric Muqtada al-Sadr (L) and Iraqi Shiite Muslim leader Ammar al-Hakim speak during a meeting to discuss economic and security issues held at Hakim's house in the southern Shiite city of Najaf on January 23, 2015. *(HAIDAR HAMDANI/AFP/Getty Images)*

it was in Vice President Ayad Allawi's hands. However, two committees were also working on national reconciliation: The National Reconciliation Committee, which answered to the prime minister's office, and a parliamentary committee on national reconciliation. The multiplicity of actors who considered themselves in charge of national reconciliation and the lack of a person or office to coordinate them meant nothing substantive was accomplished.

In August 2016, Abadi passed the General Amnesty Law, which allowed people convicted between 2003 and August 25, 2016 to apply for amnesty, except those convicted of 13 crimes — among them acts of terror resulting in death or permanent disability, human trafficking, rape, or theft of state funds.[29] On October 31, 2016 Ammar al-Hakim offered a plan, known as the "historic settlement," calling for settling all conflicting issues among Iraq's societal components on a non-zero-sum basis with the help of UNAMI. In February 2017, Muqtada al-Sadr launched a competing plan advocating social reconciliation, the integration of the PMUs within the national forces, and an end to all foreign meddling in Iraqi affairs, also with UNAMI's support.[30] Simultaneously, Sunni political factions working with Sunni opposition figures living in exile were working on a document outlining a Sunni vision for the future of the political process in Iraq.

The parliamentary elections in 2018, which brought some of the Sunni expatriate opposition back into the political process and indicate a shift away from the old identity-politics framework that defined Iraqi politics since 2003, along with the defeat of ISIS's territorial caliphate, have shifted the priority in national reconciliation from the national to the local level.

A PATH TO SUSTAINABLE PEACE IN IRAQ

This paper has chronicled Iraq's spiral into conflict in the post-2003 period. At the time of this writing, among all the civil wars in the region, Iraq is on the most positive path. Sectarian competition is becoming less relevant as a driver of political dynamics. In the May 2018 parliamentary elections, many of the major electoral lists campaigned across sectarian and ethnic lines. We witnessed a similar pattern in the government formation process which led to the appointment of Adel Abdul-Mahdi as the new prime minister. The new political alliances brought together former sworn enemies like former Prime Minister Maliki, Badr militia commander Amiri, and Sunni opposition figure Khamis al-Khanjar. According to Fanar Haddad, "… the fall of Mosul, the subsequent war against the Islamic State, the change of leadership in Iraq, and the reorientation of Iraq's regional politics" make sectarian civil war of the type seen in the post-2003 era less likely in the future.[31] Prime Minister Abdul-Mahdi is trying to forge an Iraqi nationalist path, and this seems to be reinforced by other influential Shi'a and Sunni figures.

Nevertheless, the best we can say about Iraq at present is that it is in a state of unstable equilibrium, meaning that the

current stability could be torn asunder by terrorist attacks by the still-present remnants of ISIS, or possibly by efforts by the Trump Administration to use Iraq as a cudgel against Iran. For Iraq to move toward sustainable peace, it must address five key challenges: Governance, marginalization, justice and accountability, reconciliation, and rebuilding the relationship between Baghdad and Erbil.

GOVERNANCE

Ensuring effective governance at the national level and empowering local governance are key to stabilization and addressing the increasing gap between elected officials and their constituents. The focus should be on improving service delivery (especially in the water and electricity sectors), creating jobs (particularly among the youth), providing security, and rooting out corruption.

While the *muhassasa* (quota) system put in place post-2003 that contributes to poor governance is not going away any time soon, the government must prioritize measures that promote economic diversification beyond the oil sector, trim a bloated public sector which drains resources away from infrastructure investments, put in place a regulatory environment that is friendly to the private sector, and create jobs for the more than 2.5 million unemployed Iraqis.

With the security sector, there is a need for the Iraqi state to reclaim a monopoly over the use of force on its territories. While the Kurdish peshmerga and the PMUs are recognized as state actors, these groups have chains of command that are not directly accountable to the ministries of defense and interior and the prime minister's office. Neither the peshmerga nor the PMU leadership are about to give up their independent chains of command. Various Shiite political factions hold different views about the future of the PMUs. Muqtada al-Sadr and Ayatollah Sistani are in favor of integrating the PMU fighters into the state security apparatus, while the pro-Iranian camp want to maintain the PMUs as parallel armed structures to the state's forces. The future of the PMUs depends partly on what role their leaders want to play in Iraq and partly on Iran's future plans for this force.[32] In the 2018 parliamentary elections, the PMU-backed electoral list, led by Ameri, scored the second-highest number of seats in parliament. The 2016 law that deemed the PMUs as a legitimate body within the country's security apparatus did not outline their future role in the Iraqi political process. There are serious concerns about their role in intra-Shiite politics and whether they will serve as an obstacle to cross-sectarian accommodation.

Good governance also means operating free and fair elections. The high election commission should be composed of independents and not representatives of political parties.

At the local level, officials must be given the tools and means to develop and implement better plans from agricultural development to service delivery and to manage security, including community policing. Key to that is full implementation of Law 21 governing "provinces not incorporated in a region."

A 2015 executive order by former Prime Minister Abadi to implement Law 21 has led to administrative but not fiscal decentralization, severely inhibiting the ability of local authorities to deliver on their mandate and provide public services.

MARGINALIZATION

Rebuilding territories liberated from ISIS and bringing internally displaced people (IDPs) home to their communities will be critical to denying ISIS a path back to Sunni-majority communities that in the past felt politically and economically marginalized and found in ISIS a means to reclaim their role in Iraqi political life. There are still close to 1.8 million internally displaced Iraqis, the majority of whom are from northern and central Iraq. The onerous security clearance system put in place at the federal and local levels to weed out former ISIS fighters and sympathizers that have taken refuge among IDP communities is being used as a tool by some militias to prevent IDPs from returning to their places of origin. Intra-communal and tribal vengeance are also becoming a persistent issue in areas liberated from ISIS.

JUSTICE AND ACCOUNTABILITY

Another critical component of weaving a new national tapestry will be reform of the justice system to implement due process, including in trials of Sunni youth accused of belonging to ISIS and AQI. Iraqi prisons have long been breeding grounds for extremists. A key issue is the 2005 anti-terrorism law which allows individuals to be detained and imprisoned without charge or pre-trial.[33] Prime Minister Maliki used the law to target his political opponents, and human rights organizations have spoken out against Iraq's handling of ISIS detainees and their families. It is crucial that the Iraqi judicial authorities install genuine systems of accountability for human rights abuses, including resolving cases of people who have been disappeared (e.g., the recent case of the 700 people who disappeared during the fight against ISIS). This accountability should not merely account for abuses carried out by ISIS. It should extend to people in government, state security services, and PMUs who are guilty of corruption and human rights abuses.

RECONCILIATION

Since 2003, many efforts which aimed to promote national reconciliation focused mostly on political elites. Until 2014, national reconciliation centered on the Sunni-Shi'a divide. Since the parliamentary elections of 2018 and the decision by expatriate Sunni opposition figures to join the political process, reconciliation efforts have prioritized the local level. One specific issue is how to reintegrate families of former ISIS members, who may or may not have been complicit. These family members, and even innocent civilians who happened to live in ISIS-controlled territory, are looked on suspiciously by state authorities and fellow Iraqis. These conflicts do not necessarily fall along the Sunni-Shi'a divide. They are also intra-communal. There have been stories about tribes in Anbar refusing to let their fellow tribesmen that collaborated

REBUILDING THE RELATIONSHIP BETWEEN BAGHDAD AND ERBIL

The September 2017 independence referendum in the KRG and the subsequent capture by Iraqi forces of Kirkuk in October 2017, which stripped the KRG of half its crude exports, dealt a major blow to the Shi'a-Kurdish alliance. Formed prior to 2003 in opposition to the Saddam regime, this alliance was based on the ethno-sectarian power sharing system put in place by the U.S. post-2003 and later enshrined in the 2005 Iraqi constitution.

The two major points of contention between Baghdad and Erbil have consistently been oil policy and the status of disputed territories.[34] The prime ministerial appointment of Abdul-Mahdi, a long-time friend of KRG leadership, ushered in a new rapprochement between Baghdad and Erbil. Unification of customs tariffs between the two sides, involvement of the peshmerga in the federal security apparatus, and the creation of a committee, including representatives of both Baghdad and Erbil, to supervise Kirkuk's security are all steps in the right direction.[35] As to the dispute over oil policy, Omar al-Nidawi argues that the key to finding a zero-sum solution lies in the downstream side of the oil industry, particularly the oil refineries.

A reset of the relationship between Baghdad and Erbil could help generate additional resources for reconstruction in ISIS-liberated areas, defuse potential flashpoints over disputed territories, and allow for better development of the country's oil resources.

CONCLUSION

The beginning of this paper discussed how the civil war in Iraq represented a violent political renegotiation among various Iraqi factions. What was true at the beginning of the war is even more true in the current phase of Iraq's political history. Not only are reconciliation, renegotiation, and engagement necessary between political elites and citizens, but also between the Iraqi state and outside actors, namely Iran, Turkey, the United States, and Saudi Arabia, all of which are contending for political, and in some cases religious and military, influence in the country.

The game for Iraq will be as treacherous coming out of the conflict as it was going in. Dealing with the future status of the PMUs and enhancing the capacity of the Iraqi military will be key. Premature de-militarization of the country may lead to chaos, renewed attacks by ISIS, and possible Sunni-Shi'a and Baghdad-Erbil conflicts that could disrupt Iraq's current state of equilibrium. Waiting too long to de-militarize could jeopardize the legitimacy of the Iraqi government, leading to some of the same problems outlined above.

Balancing these realities will be even more difficult if the United States continues in its attempts to use the government in Baghdad as a spearhead to weaken Iran. As part of its "maximum pressure" campaign against Iran, the Trump administration is likely to push Baghdad hard to attenuate its energy relationship with Iran and disband Iranian-supported militias. These two areas could force Baghdad into an untenable position, possibly leading to more state fragility.

Nonetheless, when it comes to Iraq's relations with its neighbors, it is not all bad news. The recent reestablishment of ties between Iraq and Saudi Arabia augurs well for the country's reintegration into the Arab world. This could be a healthy balance for Iraq and may even reduce some of Riyadh's anxiety about Iranian "encirclement" in the region. While Riyadh, like Washington, might try to put Iraq in an untenable position with respect to Iran, having a lifeline to the Arab world can help move Iraq's foreign policy into a more regionally focused and balanced direction.

The regional and international community must recognize the opportunities presented by Iraq's current position, as well as its precariousness. Rather than using Iraq as an instrument for advancing their individual agendas, there needs to be an understanding that Iraq's current nationalist political platform could be a key to the country's future, and could also be a contributor to much-needed regional stability. While all of the civil wars in the Middle East call for regional and international cooperation, Iraq at this moment of both threat and opportunity is in particular need of it now. Its future is hanging in the balance.

Iraqi Foreign Minister Mohammad Ali al-Hakim raises the Saudi flag alongside Saudi Arabia's trade and investment minister and energy minister during the inauguration of the new Saudi consulate compound in Baghdad on April 4, 2019. *(AHMAD AL-RUBAYE/AFP/Getty Images)*

ENDNOTES

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14. Sons of Iraq are Sunni volunteers working in local security forces created by Sunni sheikhs, tribal leaders, and other local power brokers entering into security contracts with U.S. coalition forces. By spring 2008, these local security forces were established in two-thirds of the country's provinces, including Nineveh, Diyala, Babil, Salahuddin, and Baghdad.

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Cover Photo: Iraqi government forces supported by fighters from the Abbas Brigade advance towards the city of Tal Afar. *(MOHAMMED SAWAF/AFP/Getty Images)*

Photo 2: An Iraqi woman walks past a wall separating the Shiite and Sunni neighborhoods of al-Shula and al-Ghazaliyeh in Baghdad in September 2007. *(ALI AL-SAADI/AFP/Getty Images)*

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ABOUT THE AUTHOR

Randa Slim is the director of the Conflict Resolution and Track II Dialogues Program at the Middle East Institute and a non-resident fellow at the Johns Hopkins University School of Advanced and International Studies (SAIS) Foreign Policy Institute. A former vice president of the International Institute for Sustained Dialogue, Slim has been a senior program advisor at the Rockefeller Brothers Fund, a guest scholar at the United States Institute of Peace, a program director at Resolve, Inc, and a program officer at the Kettering Foundation. A long-term practitioner of Track II dialogue and peace-building processes in the Middle East and Central Asia, she is the author of several studies, book chapters, and articles on conflict management, post-conflict peace-building, and Middle East politics.