Five Years after the US-Led Invasion: Iraq betwixt Failed State and Emerging Taliban Democracy

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As the fifth anniversary of the US-led invasion is marked, Iraq's transition to normality, i.e. peaceful, institutional politics, is still overshadowed by the spectres of a failed state with inter- and intra-communal uncivil war and mafia lawlessness. Despite improvements in security in Baghdad, Anbar, Mosul and other provinces, prospective normality itself seems haunted by Shi'i-Sunni, and Shi'i-Shi'i (the south) or Sunni-Sunni fighting (west, north-west and north), as by a segmented, conservative Islamic fundamentalism that imposes Taliban-like ethics, code of conduct and dress.

Thus, Iraq's reality is far removed from being the 'beacon of democracy' that the US Secretary of State, Condoleezza Rice, had announced prior to the 2003 invasion. The five macabre years of transition have had one thing in common: continuous mid-course correction of tactics and aims and incessant lowering of expectations on the part of the US; and continued polarization of communal/sectarian and ethnic politics and fragmentation of sectarian and communal blocs at one and the same time.

From US Holiday to Iraqization

The invasion and occupation of Iraq constituted the greatest nation-building challenge the US has faced since WWII. With sparse planning and little understanding of Iraq's socio-political and cultural realities, the US undertook the intricate task of dismantling the old power structures and reforming Iraq's polity, economy and society along the lines of a liberal market-based democracy. There were no social forces to act as agents of change, and no regional environment supportive of such change.

The first year of the Coalition Provisional Authority (CPA) rule (May 2003 to June 2004) was one of ambitious purge and reform crippled by failure to deliver public goods: security and services. Bremer might have thought he had a replica of 1945 Japan or Germany on his hands; in fact he faced a new version of Russia 1991. The former Defence Secretary, Donald Rumsfeld's arrogant high-tech war reduced security ratios from 34 to less than 2 per 1000, leaving a Pandora's box of dangerous and uncontrollable forces to emerge. Under Bremer's reign, the sense of Iraqi disempowerment was felt across the political spectrum, embittering even those who were supportive of the removal of the old regime. Hostile forces, drawn mainly from the dismantled ruling party, domestic Islamists and foreign fundamentalist groups (such as al-Qaeda), initiated an armed campaign to dislodge the occupation forces and block any smooth US-managed transition. Amidst the chaos, the CPA phenomenally failed to deliver security and basic public services.

Elections and Constitution: Flawed Legitimacy

The mounting Shi'i pressures for early elections and the Iraqization of constitution-writing led to the reduction of the US holiday of reconstruction at leisure from an envisaged 5 years to one lean year; the transfer of sovereignty in June 2004 to an Iraqi government (under the first interim PM, Iyad Allawi) marked the first major mid-course correction taken by the US in the hope that Iraqization would dampen opposition, weaken support for the insurgency and forge a new way forward. Allawi's cabinet (June 2004 to April 2005), with mediation by the UN through the Algerian diplo-

mat Lakhdar Ibrahimi, delivered elections, but failed to bring security or services.

With eight and a half million voters defying the insecurity and participating in the January 2005 elections, the electoral feat dealt a significant political blow to the logic of violence, but it also had destabilizing effects: it marginalized Sunni representation while it over-represented the Shi'i Islamists and Kurdish nationalist blocs, accentuating communal and sectarian politics.

The Shi'i-Sunni War

The Ja'fari transitional government (April 2005 to May 2006) continued political legitimization through the writing of a constitution, the referendum (11 million voters, October 2005) and the second general elections (11.5 million voters, December 2005) which attracted a large mass of Sunnis into institutional politics. Worried by these new signs of constitutional politics, hard-line insurgents moved to bomb the holy shrines in Samara in February 2006. The timing of the attack was almost perfect: the nation was without a government. Ja'fari was now a caretaker fighting the Kurds and Shi'i rivals to renew his premiership; and his successor, Nuri Maliki, was not yet appointed.

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What seemed an improving political atmosphere in 2005, the year of the elections, referendum and constitution, was soon shattered by an open Shi'i-Sunni war in 2006. This was a success of the civil-war strategy, however temporary. And it owed a great deal, not to the insurgents' sinister ingenuity, rather to the reckless Shi'i reaction which assumed a criminal garb similar to that of their foes: they retorted in kind with random killing, communal cleansing, summary executions, all with added institutional tools, the militia, or with lawless action by the police, another militia in uniform. As a result, the Mahdi army, led by the fiery young cleric Muqtada Sadr, turned from an Iraqi-nationalist-anti-occupation outfit into an anti-Sunni militia, leading death squads that killed indiscriminately on the spot; the more disciplined, Hakim-led, Badr Army followed suit to prove its worthiness as a reliable defender of Shi'is. Baghdad became a city of segmented cantons haunted by sectarian demons.

Iraq effectively descended into a medium-level sectarian civil war centred mainly, but not exclusively, on Baghdad. Violence directed at the coalition forces continued, although it was diminishing in scope and intensity, and criminal lawlessness was no less rampant; a measure of Shi'i-Shi'i in-fighting was also part of the landscape; however, the main and more sinister terror and horror came from the Shi'i-Sunni fight for supremacy in Baghdad and its environs. This sectarian conflict blocked the political process that characterized 2005, eroded confidence in the central authorities and their international backers, and strengthened radical and militant tendencies in both Sunni and Shi'i camps.

In human terms, it drove tens of thousands of families out of Baghdad and over two million fled to neighbouring countries. The massive exodus of middle-class professionals, businessmen and intellectuals into Jordan, Syria and Lebanon (some 2-2.5 million) weakened the social groups that oppose violent politics and long for security and the assertion of a common Iraqi nationalism. Centrist or moderate leaders and factions rapidly lost ground to more radical and militant voices.

The shock waves of sectarian conflict also reverberated around the region, almost breaking out into Sunni-Shi'i violence in Lebanon in the winter of 2007 and raising fears of sectarian trouble in Syria, Saudi Arabia and other Gulf countries, Bahrain and Kuwait in particular.

The Second Government

While the uncivil war went on unabated, the political vacuum was filled after arduous negotiations that ended with the nomination of Nuri Maliki of the Da'wa party, in May 2006, to head the first government. Maliki inherited an office weakened by intra-Shi'i rivalry and deteriorating security; the political process was stalemated. Large swaths of the Sunni and secular groups did not approve of the constitution nor of the institutions and power arrangements it had brought into being, but they were willing to seek political solutions. The security situation deteriorated dramatically

with Shi'i militias and death squads retaliating on the insurgents, mostly al-Qaeda, sinister attacks in kind and wreaking havoc in the nation's capital and other major cities, The government was unable to act effectively on the security front not only because its armed forces were not yet fully ready, but more significantly because many of the militias on the ground, such as the Mahdi army for example, had ministers in the government, and hence the government was not neutral but rather a party to the conflict or, at best, unable to control its own factions.

Prime Minister Maliki himself proved unable to effectively manage these contradictions or to move the political and security agendas forward. By the end of 2006, the situation in Iraq seemed indeed bleak. It was within this context that President Bush announced his new policy, 'the Surge'.

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Contradictory Assumptions in US Post-Conflict Policy: Belated Lessons

Bush's announcement of the new policy on 10th January 2007, known as 'the Surge', implied an admission of the partial failure of a number of initial assumptions. These assumptions were: that the primary challenge was an undifferentiated Sunni insurgency, but the real challenge turned out to be Sunni and Shi'i extremism, foreign terrorism and a mafia underworld; that the political process would dampen the insurgency, but with the flawed constitutional process and a hegemony of the majority, the process exacerbated the conflict, causing the moderate centre to erode; that the electoral process would attract a critical Sunni mass, but this mass was disappointed with the results of the process and the insurgents managed to gain ground by discrediting the political process and advancing their sectarian strategy; that the US could train and equip a national army and police force in time to deal with emerging threats, but the threats turned out to be much greater than anticipated, the training and equipping proceeded sluggishly, and the new forces were compromised by infiltration, corruption and sectarian agendas; that Iraqi enthusiasm for 'liberation' and 'democracy' would overshadow security and reconstruction concerns, but liberation quickly turned in people's perception to occupation, the results of democracy were welcomed by some and rejected by others, and security concerns soon overshadowed all else; that national reconciliation and the writing of a new constitution would be difficult but manageable, but in reality the constitution-writing process failed to achieve national reconciliation, and the Iraqi nation began to fall apart into its ethnic and sectarian subcomponents; that the coalition forces and a rebuilt Iraqi state would be able to contain the influence of regional powers, especially Iran and Syria, but in reality, a monopoly of military force has never been achieved, and Iranian and Syrian influence in Iraq has grown through powerful proxies and clients.

This list is not exhaustive; it reveals, however, some recognition of how far the original assumptions, and consequently strategy, were removed from hard realities. Perhaps the Baker-Hamilton report forced a rethinking of US strategy; it also forced a public recognition of what many, even within the Bush administration, were already admitting in private.

The Surge, Bush's New Strategy, in Action

When Bush announced the new plan for Iraq in January 2007, the attention of the public focused mostly on the military aspect – the committing of additional troops to the counterinsurgency effort. But in its totality the plan had political, constitutional, legal and regional components as well.

The military campaign focused on Baghdad and its environs, and on the Anbar province, which was, in the words of the US president, 'the home base' of al-Qaeda. This included:

The deployment of an extra 20,000 US troops to Iraq, most of which worked alongside the Iraqi armed forces penetrating Baghdad's ten military sectors and a 30-mile circle around the capital, conducting door-to-door searches, directly protecting citizens and halting forcible sectarian cleansing. An active search-and-destroy campaign in Anbar province subdued the al-Qaeda-run insurgency there. The Rules of Engagement (ROEs) allowed troops to engage militia forces regardless of their sectarian or political affiliation. The embedding of U.S. units within Iraqi formations – one US brigade within each Iraqi division, lent the campaign a measure of sustainability. The aim of "interrupting the

flow of support" from Iran and Syria to extra-governmental forces in Iraq proved elusive.

More Security

Throughout 2007, the campaign launched against the al-Qaeda Sunni organization and the Shi'i Mahdi army indeed halted the sectarian war and sectarian cleansing that plagued the capital and achieved an acceptable level of security. Thanks to the schisms between the pragmatic, tribal groups and the dogmatic al-Qaeda fighters, the US turned the tide against the latter in Anbar and Baghdad provinces; and may well go further to dramatically change the situation in other provinces, such as Mosul, Salahudin (Tikrit) and Diyala. At the beginning of the Surge, some 25 out of 159 sub-districts (composed of more than 400 neighbourhoods) in Baghdad were beleaguered, i.e. more than 15% of the capital's area; now less than 5% of these are still unsecured or under the protection of some non-aggressive militia.

But security came at a heavy price: walls segmenting the city neighbourhoods, blocking business, trade and social interaction.

The Mahdi army received crippling blows in Baghdad, its leader disappeared for a while; its offices vanished, and its formations became amorphous. Anbar and to a lesser extent Baghdad provinces were cleansed of al-Qaeda, allowing families to reinstall TV dishes, businessmen to reopen cosmetic and fashion boutiques and hair-dressers, and the community to enjoy a measure of 'forbidden' luxuries. Sadly, thousands of dislocated families could not and did not return, notably the once vibrant Christian community of Baghdad, some 10% of the metropolis' population.

The 'Battle for Baghdad' is still far from over. The military action, the Surge, was meant to provide a breathing space to help the government resuscitate national reconciliation, which is the basic political condition for security and stability; while a $10 billion fund was allocated towards reconstruction and reduction of unemployment in beleaguered communities.

A Fragmented and Weak Political Will

The success of national reconciliation is seen as contingent on a number of political and constitutional conditions, collectively known as national dialogue and national reconciliation. The first word refers to inter-

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community, and now also intra-community, negotiations; the second word, reconciliation, signifies reaching a broad consensus on the contours of the new political order. Dialogue in 2006-7 has been abundant; agreement on basics has not.

Dialogue was hampered by mistrust among Shi'i and Sunni leaders; Shi'i leaders believe Sunnis are covert 'sectarians', 'conspirators with the insurgents', a 'front for the return of the old Ba'th regime', or as of now, 'accomplices' in a US-led conspiracy to end the rightly achieved Shi'i majority rule. Sunni leaders conceive of their rivals as 'flagrant sectarians', 'Iranian stooges', 'unpatriotic', 'death-squad agents', anti-Arab and the like.

At the heart of the conflict, of course, is the jockeying for the levers of power and the concomitant distribution of wealth (read: oil revenues). Sunni leaders, feeling their minority status, are opposing the Shi'i concept of majority rule: demography, they say, is democracy. Shi'i leaders are torn between their desire to assert their demographic superiority, on the one hand, and the need to engage Kurds or Sunni Arabs, or both, in nation-building and state formation.

The greatest impediment however is the fragmentation of communities. The Kurds have two powerful nationalist parties and two strong Islamist movements; while they are in agreement in their representation, the other communities are not. The Shi'is have the United Alliance bloc (with some 124 out of 275 seats in the national assembly) which has been fragmented into two, perhaps now three Da'wa parties (led successively by the current PM, Nuri al-Maliki, ex-PM, Ibrahim Ja'fari and Karim Inizi), the Aziz-Hakim-led Islamic Supreme Council of Iraq (ISCI), the Sadr Movement and its militia, the Mahdi Army, led by Muqtada Sadr; the Fadhila (Virtue) Party, led by Ayatollah Mahmood Ya'qubi, and the Islamic Action Organization led by Ayatollah Muhammad Taqi Mudarrisi.

The Sunni bloc has no single leadership either. The Twafuq bloc (45 seats in the parliament) is made of

three different groups: the Iraqi Islamic Party (IIP) led by vice-president Tariq Hashimi, the Ahl al-Iraq led by the conservative Adnan Dulaimi, and a smaller group led by MP Khalaf Al-Ulayayn. All the large blocs have begun to fragment.

The in-fighting between Sadr and Hakim's ISCI in the southern provinces, Kut, Amara, Diwania and Basra, is one indication; another is the withdrawal from the government of 17 ministers: from the Fadhila party in March, from the al-Sadr group in April, as well as from Sunni and secular groups which followed suit. The Da'wa party of the serving PM suffered a split led by Ja'fari. Added to these fissures is the rise of tribes of the Sunni *Sahwa* (awakening), a movement that works hand in glove with the US forces against al-Qaeda. Their ascendancy increases the number of players and weakens the positions of the old Sunni camps as well as an already fragile Maliki. Maliki's party is the weakest link in the Shi'i bloc; his lack of political will stems from the institutional weakness of the state, the fragmentation of the cabinet and parliament, and lack of imagination.

In May 2007, an apparent stalemate encouraged various political groups to seek ways to dislodge Maliki or else to bolster his position.

Iyad 'Alawi, Sadr, Fadhila and the Saleh al-Mutlaq al-Hiwar group attempted the creation of a unified bloc to replace Maliki. Although this attempt failed, it invited a counter-effort to create a workable alliance, encompassing the Maliki-Da'wa and Hakim-ISCI on the Shi'i front; Talibani and Barzani on the Kurdish front, and Hashimi-IIP on the Sunni front; this was labelled the Alliance of the Moderates. The 'Alliance of Moderates' promoted the 'quartet-rule', involving the three members of the presidential council (President Talbani- Kurd; Vice President Adel Abdul-Mahdi, Shii-ISCI, Tariq Hashimi-IIP) and the Da'wa-Shi'i PM, Nuri al-Maliki, a device to end institutional fission and introduce a decision-making fusion. At the heart of this arrangement is a tri-polar system of interests; first a Shi'i-Kurdish compromise to endorse a hydrocarbon law, a revenue-sharing law and federation, and to form a basis for the 80% option of majority rule, should other alternatives fail; second, a Sunni Arab-Kurdish compromise to amend the constitution and subsidiary laws (notably de-Ba'thification, and the law regulating the authority of the provinces), and incorporate a sizable number of Sunnis in the army, police and bureaucracy, among many other demands; third, a covert Hakim-Hashimi-Maliki understanding to outflank and exclude radicals, such as Sadr and Fadhila (possibly also Ja'fari) on the Shi'i side, and Adnan Dulaimi, Khalaf al-Ulayan, the Sunni Sahwa tribal force (led in Anbar by Abu Risha family-clan), on the Sunni side.

The new 'Alliance of the Moderates' is not that moderate; Hakim's ISCI is a conservative Islamic outfit, so is the IIP; perhaps only the Da'wa is bereft of such fundamentalist credentials. Its tool of governance, the 'quartet core' is hardly cohesive. Its most alarming weakness is its lack of sufficient parliamentary power to sustain a quorum, let alone a decisive majority. Perhaps the best illustration is the failure of the government to endorse the hydrocarbon law, or the implementation of article 140 relative to the final status of Kirkuk (Tamim province). An anti-Kurdish voting bloc easily formed to oppose Kurdish demands on the oil and Kirkuk issues. Much to their dismay, the Kurds discovered that their Shi'i and Sunni foes, while killing each other with relish, were willing to unite ranks against the Kurds. Centralist or chauvinist sentiments were not wanting among both communal camps of Arab stock. Even the text of the new law on the authority of the provinces dealt a blow to Aziz Hakim's decentralization drive.

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Ironically, the successes scored by the US Surge thus far owe much to the split in the ranks of the Sunni community, namely between local groups that have worldly objectives, and the al-Qaeda lot who have ideological visions. It is also indebted to the monopoly by the US of military operational decisions, bypassing Maliki and his team. The US, however, has failed to bring their military-alliance success into tandem with the political reforms required: broadening political participation, amending the constitution, and providing for reconstruction.

The Challenges Ahead

Stuck in their limitations, the Maliki government and its US backers and allies are faced with all the possible drawbacks that delay in political reform might cause.

Reconciliation is a term in wide currency in Iraq nowadays; it has different meanings for different groups though. In general, it embraces three basic issues: broadening political participation; amending the constitution, and drawing a clear-cut schedule for the withdrawal of the US-led coalition forces. These are thorny issues; and their interconnection has proved problematic.

Reconciliation as a process starts with dialogue; and dialogue requires an agreed list of invitees and a common agenda; the list of invitees needs an amnesty, as some of the guests have already been declared 'terrorists'; the list will also signal a willingness or otherwise to broaden participation, and so on.

The several 'national dialogue' conferences held (the last in mid March 2008) have been more about form than substance.

A few steps have been taken, an amnesty and amendment of the de-Ba'thification law. The government seems incapable of hammering out or committing itself to a clear concept of forming a new broad-based government; while dissolving the militia, Mahdi army, Badr army, and now the Sahwa fighters, is hardly on the agenda, if at all achievable. The Mahdi army, for example, has already adjusted to the 'Surge' by reducing its visible presence in Baghdad, lying low in order to avoid direct confrontation, while the insurgency militias have defied the security plan by stepping up their car-bomb, suicide and now the horrific sniper attacks; the Badr group is mainly in uniform, fighting its rivals; the Sahwa lot are sponsored by the guarantor of security itself, the US.

Perhaps the long overdue constitutional amendment is even more difficult.

The current constitution has failed to secure national consensus. Not only Sunnis but also Shi'i factions and Iraqi centrist nationalists have objections. Major contentious issues revolve around the nature and extent of federation, the jurisdiction of local governance, distribution of oil resources, and the power of the presidential council.

The Regional Dimension

Contrary to the recommendations of the Baker-Hamilton report, the centrepiece of Bush's new strategy has been the old policy of rallying pro-US 'moderates' in the region against Iran and Syria. Secretary of State Condoleezza Rice initiated the diplomatic effort to build a region-wide anti-Iranian axis (comprising Saudi Arabia, Jordan and Egypt) and build support for the US strategy in Iraq ('the new unity government'), benefiting from regional concerns over growing Iranian influence, and 'sectarian' fears relating to Sunni-Shi'i tensions. Indeed, the Egyptian president Hosni Mubarak, the Jordanian monarch King Abdullah II, and other regional leaders have voiced concern over Iran's growing influence and the fate of Sunnis. Religious leaders, like the Egyptian Sheikh Muhammad Qaradawi, have taken a similar position. Even in countries like Syria and Sudan, there were some backlashes against rumours and press reports alleging attempts to spread Shi'ism among the Sunni population. The US also took military measures vis-à-vis Iran: an additional carrier strike group and Patriot air-defence systems were deployed to the region. The US also gave special attention to Turkey's concerns over problems on its borders with Iraq. In addition, recognizing the interconnection with wider Middle East issues, the US launched new efforts to revive the moribund Arab-Israeli peace process.

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This is a recognition that Iraq's dilemmas are profoundly interlocked with its regional environment, one that presents chronic problems. The Middle East is embroiled in a number of major crises over and above Iraq itself. They include the Arab-Israeli conflict in which the US and Iran/Syria are on opposite sides; the US-Iranian stand-off over the Iranian nuclear program; and the US/Saudi-Syrian/Iranian stand-off in Lebanon. Saudi diplomacy has been active in a series of diplomatic initiatives: the Mecca conference for Iraq (late 2006), the Mecca Fatah-Hamas agreement and attempts to resolve the Lebanese impasse, and the Arab summit of late March 2007. The US, meanwhile, is geared towards rallying a 'moderate' Sunni alliance against Iran and Syria. Secretary Rice's new shuttle diplomacy in the Arab-Israeli conflict aims to strengthen moderates in the region.

Turkey is not an irrelevant player; its military deployment on the Iraqi borders sends strong messages to the Kurds about the latters' moves to secure a confederal rather than federal status in Iraq.

The Maliki government, however, is more inclined to appease Syria and to develop good relations with Iran. A conflict of policy is apparent. Furthermore, the danger of the sectarian polarization of regional politics has the potential, if exacerbated, to disrupt the Iraqi transition even more. Maliki's government is painfully aware of this danger. Appeasing and winning over Saudi Arabia and Syria may please Iraqi Sunnis but does not in the least guarantee that Riyadh or Damascus will stop funding and supporting armed Sunni groups. Also, if endorsed by the Maliki government, the appeasement of Syria and/or Saudi Arabia would divide the Shi'i bloc at a critical moment in the political process. Moving closer to Iran, on the other hand, deepens Sunni fears of a Shi'i domination.

The international conference held in Baghdad in early March 2007, followed by the Sharm el-Sheikh meeting of early May, both confirmed a regional and international recognition of the Iraqi government and created the possibility of US contact with Iran and Syria, but the meetings failed to come up with any common agreement or cooperation over the crisis in Iraq. Nevertheless, these meetings constitute inevitable first steps and must be built on so as to work out more agreement on regional and international cooperation, on reinforcing the political and security process in Iraq, and on strengthening the nascent civil war.

In Conclusion

Political fragmentation, weakness, mistrust, lack of imagination, and factional in-fighting rendered the Iraqi government (the cabinet, the presidential council, the parliament and the local governments of the provinces) dysfunctional. The astounding feature is the failure to deliver public goods: services and security. The security breakthrough is well ahead of the political process, which is hampered by factional disunity and monopoly of power.

Elections may not dramatically change power relations, but they can bring new forces and cause new alliances

As the local elections are due in 2008 and the second general elections in 2009, the Islamic parties on both sides of the communal divide seem to be rapidly growing unpopular. Elections may not dramatically change power relations, but they can bring new forces and cause new alliances. The old holistic blocs have already disintegrated; the new offshoots have not yet taken shape.

All in all, Iraq's democracy is covered with blood; physically at the mercy of death squads, militias, terrorists and mafias; and intellectually under the wing of violent, conservative Islamic ideologies.