

SHIITE MILITIAS AND THE STATE IN IRAQ

Between integration and empowerment

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ABSTRACT

A new type of militia is currently spreading in the Arab world, and in particular in Iraq. While this phenomenon has deep roots, it is the result of the weakening of the central state and the withering of the military and security apparatus. The growth in power of the Iraqi Popular Mobilisation Forces (Hashd Sha'abi), initially intended to be the tip of the spear in the fight against the Islamic State, calls into question their institutional status and remit, even though their mission has been successfully completed. Now the question of their integration or their demobilisation arises. The increasing fear in Iraq, as well as the region as a whole, of the prospect of a permanent parallel Shiite army, serving Iranian interests, like Hezbollah in Lebanon, should be qualified. In reality, the specific attributes of the Iraqi Shiite community and its political and security representation, greatly limit the possibility of these militias being instrumentalised by Tehran.

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INTRODUCTION: THE PROLIFERATION OF MILITIAS IN THE ARAB WORLD

No matter their regime type, most modern Arab states, with the exception of the monarchies of the Arabian Peninsula who followed a different model, were constructed on the bedrock of the armed forces and security services. Wielding a monopoly of the legitimate use of violence, both abroad and domestically, the armies – with the exception of Lebanon – managed to retain this major role until the beginning of the 21st century. Since then they became progressively removed from the management of the political power which they themselves had originally established. The concept of militias has certainly well known in the region for many years. They can act either as a praetorian guard, devoted more to the protection of the leader and their circle than the national institutions, or police forces attached to a party, like previously in Iraq.¹ Or they can act much less formally, as bands of semi-delinquents mobilised by the incumbent regime (Baltagis in Egypt, Shabiha in Syria) to repress opposition movements, as seen during the Arab revolutions. But in all of these cases, these structures act under the commands and control of the state.

The strategic upheaval in the Arab world, unleashed by the US intervention in Iraq in 2003 and amplified by the uprisings in 2011, has upended this monopoly on the legitimate use of violence. The failure of the central state and the withering of the military and security system resulted in several countries being plunged into a state of civil war, like Iraq and Libya. This triggered the emergence and rise to power of a type of militia which either substituted, in the case of Libya, or superimposed in Iraq, the army and national security forces, although there are important differences between the cases.² Furthermore, in a context of the weakening, or even disintegration of state and national institutions, as well as the restructuring of the ruling elite, there has been a militarisation of society.³ The military legitimacy acquired on the battlefield by quasi-state groups endows them with a political legitimacy, one that is strengthened by their ability to use force. In this way, these new types of armed groups have become security, political, and even economic and social actors. The problem is that these structures, originally non-institutional, have come to fill a vacuum left by the undermining or destruction of the modern structure of the nation state, in a context where it has seen itself permanently weakened by centrifugal forces and political, regional or sectarian conflict.

The Iraq, the Popular Mobilisation Forces (Hashd Sha'abi), predominantly Shiite militias which since 2014 have been fighting against the Islamic State (IS), present a particularly

1. Loulouwa al-Rachid, "Irak : la malédiction du trop-plein partisan," *Confluences Méditerranée*, No. 98, 2016/3, p. 131-132.

2. According to Hervé Maupeu, citing David Francis, there is a distinction between "first-generation civil militias and second-generation militias. The first are paramilitary groups operating under the control of the state, even though others operate in the context of a weak state and therefore often outside the control of governments." One can thus consider that the Iraqi Shiite militias are in a third category, in between the two. Hervé Maupeu, "Milices," in Benoît Durieux, Jean-Baptiste Jeangène Vilmer, Frédéric Ramel (dir.), *Dictionnaire de la guerre et de la paix*, PUF, 2017; David J. Francis, *Civil Militia, Africa's intractable security menace?*, Aldershot, Ashgate, 2005.

3. This is defined by popular mobilisations resulting in the formation of quasi-state or non-state military structures, in the context of the fragmentation or weakening of regular armed forces.

significant example of the development of militias. Now that the threat it fought against is at the point of disappearing, reduced to remnants, this raises the question of its future. In particular, do these diverse militias intend to partially reintegrate themselves into civilian life, to become part of into the Iraqi state's defence structure and merge into a conscript army recreated for this purpose? Inversely, should they retain a form of institutional and operational autonomy, at the risk of resembling the regime's Praetorian Guard, or one of its components? This latter hypothesis arises in Iraq itself and in the wider region, as well as the risk of creating or reinforcing a dual or hybrid system, the spectre of a new Hezbollah acting in the image of its Lebanese counterpart, spreading Iranian influence.

THE PHENOMENON OF MILITIAS: DEEP ROOTS IN IRAQ

The phenomenon of militias is not new to Iraq, even if it became more widespread after the American intervention in 2003, which led to the founding of Shiite militias hostile to the foreign military presence. These include the Mahdi Army, led by Moqtada al-Sadr or even the pro-Iranian militia Faylak Badr (Badr Corps), which, from Iran, penetrated the provinces of Wasit and Diyala to fight American troops.⁴ During these same years the Army of Madhi experienced its first divisions. The Moqtada al-Sadr militia was built out of different armed groups whose local chiefs followed their own local and regional rules, far from the national and anti-confessional goals of their leader. In 2006, when Muqtada al-Sadr demanded his militia cease attacks against Americans, Qais al-Khazali⁵ and his brother Layth al-Khazali decided to break away and, with the help of the armed wing of the Iranian Pasdaran – the al-Quds Force –, formed the Asaib ahl ul-haqq militia (League of Jurists).

2014 was a turning point for Iraqi militias. The Islamic State's growth in power and the Iraqi army's humiliation in the capture of Mosul in June sent a shockwave through the hearts of the Iraqi population. On 13 June 2014, Ayatollah Ali al-Sistani issued a *fatwa*, calling all Iraqis to take up arms to defend their homeland "in the face of terrorism." Subsequently, tens of thousands of Iraqis, mostly young Shiites, joined the fight against the Islamic State. To control and regulate this popular surge, on 15 June the government decided to create Popular Mobilisation Forces (Hashd Sha'abi). Far from being a homogeneous organisation, these were composed of dozens of militias and are plagued with dissent and rivalry. Their membership is now estimated to be around 100,000 fighters, divided into 67 different groups, of which almost 40 are likely affiliated with Tehran.⁶ Within these militias, the fighters are predominantly Shiite but are joined by several paramilitary groups, including Christians, like the Babylon Brigade, or Sunni, who make up almost 8% of Hashd Sha'abi overall.⁷

4. Camille Verleuw, "Le chiisme paramilitaire," *Sécurité globale*, ESKA, 2017/2, No. 10, p. 35-157.

5. Qais al-Khazali is the former right hand of Muqtada al-Sadr within the Army of Mahdi, and the founder of the Asaib ahl ul-haqq militia.

6. Hebatalla Taha, Clément Therme, *Les Groupes chiites en Irak : enjeux nationaux et dimensions transnationales*, Institut français des relations internationales (IFRI), 2017.

7. *Ibid.*

On the battlefield, the Popular Mobilisation Forces played an important role, albeit never alone, but always in cooperation with Iraqi armed forces or Western air forces from the international coalition. In particular, Hashd Sha'abi participated in the defence of the town of Amirili in August 2014, and in the recapture of the provinces of Dyala and Babil in the same year. In 2015 they retook the towns of Tikrit and Ramadi, and then Fallujah in 2016. At the centre of this "militia mosaic," three armed groups distinguished themselves by their military strength and effectiveness. They are, in descending order of importance, the Badr Organisation, the League of Jurists and the Kataeb Hezbollah. They are all ideologically close to the Republic of Iran.

The Badr Organisation began in Iran in 1982 under the name of Faylak Badr⁸ (Badr corps). It was initially the armed wing of the Supreme Council of the Islamic Revolution in Iraq (SCIRI), but became distanced during the 2000s due to the Council's rapprochement with the USA. In 2003, it assumed the name of Tazim Badr (Badr Organisation). Supported both by Iran and the Iraqi government, the Badr Organisation is today considered as the best equipped militia on the battlefield. It possesses drones, helicopters, M1 Abrams tanks and AT4 anti-tank rocket-launchers.⁹ While Iranian logistical support through the Diyala province is valuable, it is primarily financed by the Iraqi government. The installation of senior figures from the Badr Organisation in the Iraqi political realm, like the nomination of its chief Hadi al-Amiri to the post of Minister for Transport in 2010, or of Mohammed Ghabban as Minister of the Interior from 2014 to July 2016, enabled this Shiite militia to benefit from the majority of funds distributed by the government.¹⁰

The League of Jurists, which split from the Army of Mahdi in 2006, is led by the Al-Khazali brothers. It is known for its hostility towards Moqtada al-Sadr. The League of Jurists formed a political alliance with Nouri al-Maliki in 2010, which aimed to stamp out the influence of Muqtada al-Sadr in the Basra region.¹¹ Very close to Tehran, due to the militia's founders, the League of Jurists has sent fighters to Syria.

Formed in 2003 by the Pasdarans, Kataeb Hezbollah seems to be a more secret paramilitary organisation. Led by Abou Mahdi al-Muhandis, the organisation boasts almost 30,000 men. Its apparent goal, according to Camille Verleuw, is to "oppose all Iraqi moves to construct a state totally independent of Iran."

While the militia does not appear to obey Iran, Muqtada al-Sadr's Peace Brigade (Saraya al-salam) is an important group in the "militia mosaic." Although it was founded to defend Shiite holy sites, Muqtada al-Sadr refused to send fighters to Syria, replying unfavourably to Iran's request.

8. Gilles Chenève, *Panorama de l'Irak contemporain*, Ed. du Cygne, 2017.

9. Juliette Tantot, *L'Organisation Badr en Irak, l'ancrage étatique d'une milice pro-iranienne*, GRIP, 8 May 2018.

10. *Ibid.*

11. Camille Verleuw, "Le chiisme paramilitaire," *op. cit.*

WHAT IS THE INSTITUTIONAL STATUS AND REMIT OF THE SHIITE MILITIAS?

The legal limbo of Iraqi Shiite militias

The elections of 12 May 2018 politically consecrated Hashd Sha'abi's military victory over the Islamic State since 2014. With close to 47 seats out of 329 in the Iraqi parliament, the Fatah Alliance, led by Hadi al-Amiri, became the second political force after the Muqtada al-Sadr list. Institutionally, and thanks to the support of Nouri al-Maliki, the Shiite militias, like the Badr Organisation, were already embedded at the heart the Iraqi government: Hadi al-Amiri was Minister for Transport from 2010 to 2014, Mohammed Salem al-Ghabba¹² Interior Minister from 2014 to 2016 and Qassem al-Araji Interior Minister from 2017. The Badr Organisation's military victories over the Islamic State allowed it to consolidate its influence in Iraqi, particularly in the Dyala region.¹³ Situated north-east of Baghdad, on the border with Iran and with a majority Sunni population, this region became a stronghold of the Shiite militia. This political penetration allowed them to exercise political, security and economic control over the region, especially over the implementation of duties at check-points and the control of cross-border trade.

Buoyed by this victory, the Shiite militias won popular legitimacy, both at home and abroad. However, the institutional place of the Hashd in Iraqi politics is still unclear. While certain decrees and laws have specified their status, they remain vague and in limbo. Sistani's June 2014 *fatwa*, in which he called young Iraqis to take up arms, ultimately lent religious support to this popular mobilisation. This can be called a "voluntary jihad" or a "para-legal jihad,"¹⁴ although the spontaneous nature of this call does not specify the legal or institutional status of the militias. Nevertheless, two days after Sistani's *fatwa*, Nouri al-Maliki's government institutionalised the militias by creating the Popular Mobilisation Unit corps, yet still without clarifying their place or their role within the state. In February 2016, Prime Minister Badi adopted Executive Order 91, making the Hashd an "independent military" force, entirely separate from the Iraqi army, which, like the Iraqi counter-terrorist service, was under the authority of the Prime Minister.¹⁵ Promulgated by Abadi, the 8 March 2018 decree gave the Iraqi militias as the same rights and privileges as the conventional armed forces, in particular for the allocation of financial resources. However, the measures did not clarify the status of the Iraqi militias, with them remaining in an unclear position. Overall, they endow it with two hats, as a state and quasi-state actor, with a foot inside and outside the Iraqi state.

12. Mohammed Salem al-Ghabban is an Iraqi politician who joined the opposition to Saddam Hussein's regime in 1981. From 2006 he became involved in politics and, in 2014, he became deputy and then quickly entered the government where he was named Interior Minister. In 2017 he became advisor to the "political office" of Hashd Sha'abi.

13. Kirk H. Sowell, *Badr at the Forefront of Iraq's Shia Militia*, Carnegie Endowment for Peace, August 2015, <https://carnegieendowment.org/sada/61016>.

14. Interview with Loulouwa al-Rachid, 9 July 2018.

15. "According to Office Order 91, the PMF 'will be an independent military formation and a part of the Iraqi armed forces, and linked to the general commander of the armed forces.' The commander of Iraq's armed forces is its prime minister" (Bill Roggio and Amir Toumaj, "[Iraq's prime minister establishes Popular Mobilization Forces as a permanent 'independent military formation'](#)," *FDD's Longwar Journal*, 28 July 2016).

The question of demobilisation and reintegration

The Shiite militias learned many lessons from their victory against the Islamic State. However, IS's collapse, with the recapture of Mosul in January 2017, raises the question of the militias' future. It is important to distinguish between the militias which were formed spontaneously after Ayatollah Sistani's *fatwa* and those with deeper historical and military roots. This distinction leads to the question of the strategic end-point of the campaign. For the so-called "spontaneous" militias, the purpose of the campaign is, in theory, clear: to defend the country, the Iraqi people and sacred Shiite sites¹⁶ and, by extension, to eliminate the Islamic State. With the fight against it at an end, logically these militias would therefore be demobilised and/or integrated into the state's defence and security structures. However, the idea of empowering these "spontaneous" militias seems unlikely. This is firstly due to their large number (over five hundred) and their diversity. Furthermore, empowering such groups would inevitably lead to a chaotic proliferation of armed organisations.

The purpose of the campaign for the second category of militia is more complex. As these paramilitary groups were founded before the appearance of the jihadist organisation, their continuation is therefore not contingent on its persistence. Still, it is useful to distinguish between "historic" militias founded by Muqtada al-Sadr and those affiliated with Tehran. Muqtada al-Sadr has always affirmed its wish to see the militias demobilised or integrated into the national armed forces after the end of fight against the Islamic State, to avoid competing with the Iraqi state and its prerogatives. The militias links to Iran adds to this complexity, which allows them to acquire a new political and military status. It is therefore unlikely that they will renounce their activities and leavers of influence. In order to justify their persistence in Iraqi politics, the Shiite militias, including the Badr Organisation, the League of the Virtuous or Kataeb Hezbollah, invested in all domains of Iraq's public life: political, economic, social and cultural, just like Hezbollah in Lebanon did after its founding in 1985.

The comparison with Hezbollah in Lebanon and the Pasdarans in Iran

Hashd Sha'abi therefore appears to be following the same political and military trajectory and Hezbollah in Lebanon did after its creation. To many political actors, within and especially outside of Iraq, this similarity with the Party of God, and also with the much-condemned Islamic Revolutionary Guard Corps (Sepah-e-Pasdaran), implies of the rise to power of a parallel army working on behalf of Tehran. Many similarities can be found between these three organisations. First, just like its armed component, the Islamic Resistance in Lebanon, which joined a socio-political group, the Party of God, Hashd Sha'abi possesses a political wing, the Fatah Alliance, which now occupies an important place in the Iraqi parliament with 47 seats. In Lebanon, Hezbollah was a socio-political showcase maximise popular support. In return, the Party of God imposed itself as a leading political

16. Sistani's fatwa called for "capable [Iraqi] citizens to take up arms and fight the terrorist, to defend their country, the people and holy sites by willingly joining the security forces."

actor. This assured the Islamic Resistance that certain red lines would not be crossed, the most important being disarmament. In fact, there is a large chance that the Fatah Alliance in Iraq will follow in the footsteps of Hezbollah in becoming Hashd's safeguard, as well as their political outlet.

Another similarity they share is their attention to socio-cultural and educational work. This strategy somewhat recalls Gramscian theories of "cultural hegemony" where the political struggle waged in the cultural field shifts from political society to civil society with the goal of achieving hegemony.¹⁷ In December 2016, Hashd established the Shuhada University, reserved for members of the Popular Mobilisation Forces.¹⁸ This institution claims to be a "gateway into science for Hashd mujahedeens, which allows them to become active participants in building the Iraq of the future."¹⁹ In parallel, the League of the Virtuous decided to found a student union, Hashd al-jami'I, inspired by the Iranian model. It aims to bring together students from different Iraqi universities to create a feeling of mobilisation around al-Hash Sha'abi, by "assisting Hashd logistically, from the university to the battlefield." Furthermore, it seeks to educate "students culturally and ideologically."²⁰ Kataeb Hezbollah itself advocates an "intellectual and cultural jihad," aiming to protect the Iraqi nation against external aggression which threatens the country's identity.²¹

The Shiite militias are also deeply involved in the economy. They intend to recreate Iran's *Jihad-e Sazandegi* (Jihad of Construction) experience, which relied on the voluntary mobilisation of the Revolutionary Guards to rebuild the country after the Iran-Iraq war.²² This experience was repeated by Hezbollah in Lebanon who, in 1987, founded the Jam'iyyat mu'assasat jihad al-bina al-inma'iyya (Association of the Developmental Institution for the Construction Effort). Hashd, mirroring their Iranian and Lebanese counterparts, therefore intend to invest in Iraq's post-Islamic State reconstruction. They are involved in the rebuilding of roads and infrastructure in the Basra and Baghdad regions. Furthermore, the Iraqi state's wealth from petroleum production presents a real opportunity for the Shiite militias. They could be entrusted with a number of construction sites to accelerate the reconstruction process, which will further increase their social role.²³ Just as Hezbollah in Lebanon who established the Mu-assasat al-shahid (the Martyrs Foundation) in 1982, the League of the Virtuous works through the organisation of Shuhada Ahl al-Haq²⁴ (the Martyrs of Truth) to support the families of fighters killed in combat.

Despite these numerous parallels, taken national contexts into consideration limits the comparison. Firstly, the pluralism and diversity of Iraq's Shiite population, just like their corresponding diverse political representation and varied network of militias, are major obstacles to the establishment of an Iraqi replica of Hezbollah. Similarly, the absence of a charismatic figure and powerful leadership, as embodied by Hassan Nazrallah in Lebanon,

17. Fabio Frosini, "Hégémonie : une approche génétique," *Actuel Marx*, PUF, 2015/1, No. 57, "Antonio Gramsci."

18. Hebatalla Taha and Clément Therme, *Les Groupes chiites en Irak*, op. cit.

19. *Ibid.*

20. *Ibid.*

21. *Ibid.*

22. Tamer Badawi, *Iran's Economic Leverage in Iraq*, Carnegie, May 2018.

23. *Ibid.*

24. *Ibid.*

weakens the comparison. The other great difference between Iraqi militias and Hezbollah is the willingness to designate an enemy in order to win legitimacy among the population. Israel has been Hezbollah's historical enemy and the threat of Israel allowed it to override the disarmament of militias stipulated by the Taif Agreement in 1990. Iraq's enemy however, namely the Islamic State, is greatly weakened, even though the Shiite population still fears Sunni jihadism. Finally, while the Shiite militias, like the Iranian Pasdarans, represent a *de facto* parallel army with a legal status, they cannot claim to have the same influence. The Revolutionary Guards were only able to develop in a radically different context. Since their creation, they have been a central institution of the highly ideological regime. They exist under a form of political theocracy (guardianship of the religious jurist - *velayat-e faqih*), whose political and security systems are highly centralised and controlled. All these characteristics are currently absent in Iraq.

THE ROLE OF IRAN: THE LIMITS OF INSTRUMENTALISATION

The Popular Mobilisation Forces played an important role in the eradication of the Islamic State because due to, among other factors, the support they received from the al-Quds Force under the command of the general of the Iranian Pasdaran Qassem Soleimani. They are the militia most often denounced as an Iranian fifth column by many groups within Iraq (Sunnis and Kurds) as well as abroad (the Gulf Countries, Turkey, Israel, the US). While almost all of the "historic" militias are in effect more or less closely affiliated with Iran, they do not all have the same political or military agenda. Some clearly chose to side with Tehran, for example the Iraqi group Harakat Hezbollah al-Nujaba, an offshoot from the League of the Virtuous whose mission focuses on the defence of sacred Shiite sites in Syria.²⁵ Led by Akram al-Kaabi, in 2015 it swore allegiance to the Iranian Supreme Leader, Ali Khamenei. It vowed that it would be ready to overthrow the Iraqi government if a "religious authority" ordered it to do so.²⁶ Even if their official declarations seem less radical, other militias also maintain close links with the Islamic Republic, such as the Badr Organisation led by Hadi al-Amiri. Finally, the militias assembled around Muqtada al-Sadr, on the contrary, proclaim their nationalism and reject of all forms of foreign interference, beginning with Iran's. This has not prevented Muqtada al-Sadr from allying with Hadi al-Amiri on 13 June 2018, in order to form a governmental majority. In practise, the nationalist positions expressed by most Iraqi political and security actors are largely incoherent. They do not change the reality of the balance of power and are usually opportunistic and politically motivated.²⁷ However, anti-Iranian feelings exist, particularly among the sadrists and secularists.

In reality, Tehran influences the apparatus of the Iraqi state through intermediaries. These include former officials in exile in Iran, notably present in the Al-Da'wa party, as well as top militia commanders. As such, an official as powerful as Hadi al-Amiri is obliged to

25. French Office for the Protection of Refugees and Stateless people (OFPRA) thematic report on Shiites in Iraq, 15 April 2006, accessible online https://www.ofpra.gouv.fr/sites/default/files/atoms/files/6_didr_irak_les_milic-chiïtes_ofpra_15042016.pdf.

26. *Ibid.*

27. Interview with Loulouwa al-Rashid.

check with Tehran before embarking upon his chosen political or diplomatic initiatives. At the same time, Iran is forced to manage the pluralism of Shiite dynamics, who are far from all being under its control. This complicates its efforts and restricts its room for manoeuvre. The Iranian authorities perceive Hashd as an important tool of influence in Iraq, which explains Leader Khomeini's warnings against any attempt to weaken these militias. However, assuming that Iran hopes to see the emergence of an Iraqi version of Hezbollah, the number of militias within Hashd and the differences which exist between their different political "sponsors," makes such a project unlikely to succeed. These obstacles have compelled General Qassem Soleimani, an active supporter of Hadi al-Amiri's Fateh Alliance, to make frequent trips during the May 2018 legislative election campaign. His, apparently unsuccessful, goal was to convince al-Amiri to ally himself with the former Prime Minister Nouri al-Maliki in order to isolate the bloc led by Muqtada al-Sadr.

However, Iran is Iraq's primary economic and commercial partner. It does not only have important footholds in the country's political establishment but also its religious one. Given the current favourable international context, it has no interest in being too heavy handed. Rather than creating a replica of the Islamic Republic in Baghdad, Iran's interest is in maintaining the status quo by preventing the Iraqi regime evolving in a way contrary to its fundamental interests. There are therefore two strands to its policy towards Iraq: one high-level, which targets its "clients" within the political class, the other lower-level, which invests in the social sphere through militias, allowing it to strengthen the political base of pro-Iranian forces.

CONCLUSION

While the apparent demise of the Islamic State has not weakened the legitimacy of Iraq's Shiite militias, it has ended their justification for wielding exorbitant military and political power. Their role of guardians of the temple, with which they endowed after their victory, seems difficult to continue and justify to the population. Even if the threat of Salafi jihadism (to which the Iranians refer as "Takfirism") has not vanished, Iraq's Shiite militias cannot claim to be defending the population from a foreign enemy, once that enemy has been defeated. In the future, on what grounds could the Shiite militias establish their legitimacy? The question of an external enemy in the aftermath of the Islamic State is still subject to debate and, as Loulouwa al-Rachid asks, does the defeat of IS signify "the defeat of terrorism, or a Sunni insurrection that has been ongoing since 2003 [...] or simply the defeat of the Sunnis in Iraq?"²⁸ One thing is certain: as long as the Iraqi state remains weak, the question of militias will not be resolved. This issue applies to all other countries of the region whose state and national structures are weakening or collapsing.

(English translation by Andreas CAPSTACK)

28. Loulouwa al-Rachid, *L'Irak après l'État islamique : une victoire qui change tout ?*, IFRI briefing, July 2017.

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